

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.13714 OF 2016

Smt. Seema Chandrakant Pardeshi	...Petitioner
vs.	
The Panvel Municipal Corporation & Ors.	...Respondents

Mr. A. G. Damle, Senior Counsel a/w Mr. Ketan Joshi i/b Ergo Juris for the Petitioner.

Mr. S. S. Aradhye for the Respondent Nos.1 & 2.

Mr. Vikas Mali, AGP for the State.

**CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.**

MARCH 21, 2017.

P.C.

. Affidavit in reply is filed by the Respondent Nos.1 and 2.
Paragraph 4 and 5 of the said affidavit reads as under:

4. I say that in para No.23 of the Writ Petition the Petitioner had wrongly mentioned that the demolition drive was carried out by the Panvel Municipal Corporation on 10/11/2016. I say and submit that the said demolition drive was jointly carried out by the National Highway Authority and MSRDC. The officers of the Panvel Municipal Corporation were present during the said demolition drive.

5. I most humbly submit that in para No.22 and 23 of the Writ Petition, the Petitioner had expressed his apprehension that the Municipal Corporation will initiate action without any further information. The said apprehension of the Petitioner is without any basis and the Municipal Corporation will follow the procedure established under the

law before initiating action against the structure in question which is in existence as on today.

2. The learned counsel appearing for the Corporation submits that in case any further demolition of the suit structure is required to be done, the same shall be done in accordance with law and by following due process of law.

3. In case, if the Corporation initiates any steps to demolish the structure for whatever reasons, the same to be done in accordance with law and by following due process of law.

4. This order be intimated to the MSRDC and the National Highway Authority.

5. In view of the statement made on oath in the affidavit-in-reply, the Petition is disposed of.

(M. S. KARNIK, J.)

(NARESH H. PATIL, J.)