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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CONTEMPT PETITION NO. 38 OF 2017
IN
WRIT PETITION NO.2705 OF 2016

Dr. Babasaheb Ambedkar Nagar
Rahivasi Sangh

....Petitioner.

V/s

Shri Ajoy Mehta,
The Commissioner of Bombay
Municipal Corporation and Others

..... Respondents.

Mr. Mahadeo Choudhary a/w Ms. Kanchan Pawar for the Petitioner.
Mr. K.H. Mastakar for Respondent Nos. 1 to 5 – MCGM.
Ms. Alka Sasane, Asstt. Commissioner, H-East Ward, present.

**CORAM: B. R. GAVAI &
M.S. KARNIK, JJ.**

DATE: 21st September, 2017

P.C.:-

1] This Contempt Petition is filed by the Petitioner, alleging contempt of the order passed by this Court dated 26/10/2016. It is the contention of the Petitioner that, without complying the order dated 26/10/2016⁷ i.e. without deciding the representation made by the Petitioner, structures of the Petitioner have been demolished.

2] Yesterday, when the matter was called out, since the learned

Counsel for the Corporation was not in a position to assist the Court, we had directed the Assistant Commissioner of H-East Ward to personally remain present in the Court.

3] Today, when the matter is called out, Ms. Alka Sasane, Assistant Commissioner, H-East Ward, is personally present in Court. She makes a categorical statement that in Writ Petition (L) No.2915 of 2016, a list of only 45 occupants was given. She further states that none of those 45 structures have been demolished. She further submits the representation of the Petitioner – Association is already rejected vide order dated 20/09/2017. The learned Counsel for the Corporation undertakes to handover copy of the order dated 20/09/2017 to the learned Counsel for the Petitioner. The Assistant Commissioner also makes a statement that for a period of one week from today, 45 structures, a list of which was given in Writ Petition (L) No. 2915 of 2016, would not be demolished.

4] In that view of the matter, nothing survives for adjudication in the Contempt Petition. Notice issued to the Assistant Commissioner, stands discharged. Contempt Petition is accordingly disposed of.

(M. S. KARNIK, J.)

(B. R. GAVAI, J.)