

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

WRIT PETITION NO. 1563 OF 2017

Ganga Cooperative Housing Society Petitioner

Vs.

State of Maharashtra and 6 others Respondents

Ms. Radhika Nair i/b Jaykar and Partners for the petitioner

Mr. Jaydeep S. Shringare for respondent nos. 3 & 4

Mr. Ditendra Mishra for respondent no. 6

Ms. K. H. Mastakar for MCGM

Mr. Milind More Additional Government Pleader for the State.

**CORAM : SMT. VASANTI A. NAIK,
RIYAZ I. CHAGLA, JJ.**

DATE : OCTOBER 30, 2017.

P.C.

By this writ petition, the petitioner seeks a direction against the respondent nos. 1 to 3 to demolish the unauthorised and illegal construction undertaken by respondent nos. 4 to 6 on plot no. 1001 (B).

The learned counsel for the respondent no. 6 states by referring to the affidavit-in-reply filed on behalf of the respondent no. 6 that the construction made by the respondent no. 6 is demolished by the Corporation and the cause for filing the writ petition would not survive.

The learned counsel for the petitioner states that the entire illegal construction is not demolished.

When we had asked the learned counsel for the petitioner to point out on the basis of photographs whether the structure was demolished or not, a

photograph was tendered in the Court for our perusal.

We find from the photograph that the construction is demolished and there is no construction on the concerned plot.

Since the illegal structure appears to have been demolished by the Corporation, we dispose of the writ petition with no order as to costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]