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

WRIT PETITION (L) NO. 1426 OF 2017

Noor Mohammed Shaikh

...Petitioner

Vs.

Municipal Corporation of Greater Mumbai & Ors.

...Respondents

Mr. P.J. Thorat a/w. Mr. S.P. Chavan for the Petitioner

Mrs. Shital Mane for Respondent Nos. 1 to 4

CORAM : P.D. NAIK & M.S. KARNIK, JJ.

(VACATION COURT)

DATED :22ND MAY, 2017

P.C. :

1. The Petitioner has moved this Petition seeking directions to the Respondents to decide his representation dated 15th February, 2017 submitted for regularisation of the subject premises. The Petitioner's Counsel submitted that inspite of the order of this Court the Respondents are bent upon demolishing the premises without considering the proposal dated 25th October, 2016 and that the Competent Authority has threatened the Petitioner to demolish the premises on 23rd May 2017.

2. The learned Counsel appearing for the Respondent Corporation submitted that the representation for regularisation has been rejected on 20th May 2017. She further pointed out that vide order dated 26th October, 2016 passed by this Court in Writ Petition No.2945 of 2016, it was observed that; in the event the order on the regularisation application is adverse to the interest of the Petitioner, the same shall not be implemented for the period of two weeks from the date of the communication thereof to the Petitioner. She, therefore, submitted that the reliefs prayed in this Petition cannot be granted and that the Petitioner is protected for stipulated period as mentioned in the said order dated 26th October 2016 on account of adverse order on regularisation application.

3. In view of the above nothing survives in this Petition and considering the fact that the application for regularisation has been rejected and in view of the directions/ protection granted in order dated 26th October, 2016 the Petition is

disposed of. Liberty to the Petitioner to challenge the order passed by the Respondents rejecting the application for regularisation by initiating appropriate proceedings.

4. In view of the above order dated 26th October, 2016 it is clear that the Petitioner is protected for a period of two weeks from today from implementing the adverse order.
5. Parties to act on the authenticated copy of this order.

(M.S. KARNIK, J.)

(P.D. NAIK, J.)