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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO.2131 OF 2015**

|                                     |                 |
|-------------------------------------|-----------------|
| Smt. Lila W/o Vishnu Vaity and Anr. | ... Petitioners |
| Vs.                                 |                 |
| The State of Maharashtra and Ors.   | ... Respondents |

Mr. Sagar Bhandarkar i/by Hemant Ghadigaonkar for the Petitioners.  
Mr. Amit Shastri, AGP for the Respondent No.1.  
Mr. A.Y. Sakhare, Senior Counsel a/w Ms. Kejali Mastakar for the  
Respondent Nos.2 and 3.  
Mr. Jitendra Tiwari for the Respondent No.4.

**CORAM : A.S. OKA &  
SMT. VIBHA KANKANWADI, JJ.**

**DATE : 10<sup>th</sup> JULY, 2017**

**P.C.**

1            Heard the learned counsel appearing for the petitioners ,  
the learned counsel appearing for the first respondent and the learned  
Senior Counsel appearing for the second and third respondents. Perused  
affidavit of Shri Vijay Singhal, Additional Municipal Commissioner  
(Eastern Suburb) of the Mumbai Municipal Corporation. The affidavit  
records that further action of demolition has been already taken by  
making the building inhabitable. The photographs have been annexed  
to the said affidavit as Exhibit – A.

2           We have perused the said photographs. The photographs are of the year 2015 and 2016. However, in the affidavit of Shri Vijay Singhal the following statements have been made:-

“I say that the complete demolition of the said structure of Ground + 4 upper Floors will be carried out within a period of eight weeks by taking appropriate steps to secure the adjoining structures.”

3           The said statement is accepted as undertaking of the Mumbai Municipal Corporation. In view of the aforesaid statement, at this stage, it is not necessary to entertain this Petition. By accepting the aforesaid undertaking, the Petition is disposed of.

4           In the event, there is non-compliance by the Mumbai Municipal Corporation, it will be open for the petitioners to file a fresh Petition.

**(SMT. VIBHA KANKANWADI, J)**

**(A.S. OKA, J)**