

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

WRIT PETITION (L) NO.2996 OF 2017

Hilda Kesumal Mistry

... Petitioner.

Versus

Municipal Commissioner,
Municipal Corporation of Greater
Mumbai and another

... Respondents.

....

Mr. Kunal Bhangе i/b. Mujahid Hamid Mulla for the Petitioner.
Ms. K.H. Mastakar for MCGM.
Mr. Suresh Bagal , Sub Engineer present in the Court.

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***CORAM : Smt. Vasanti A Naik &
Riyaz I. Chagla, JJ.***

DATE : 29th November, 2017.

P.C. :

Not on board. Taken on board.

By this writ petition, the petitioner seeks a direction against the respondent-Corporation to take appropriate action against the petitioner in accordance with law only after considering the the reply and the documents submitted by the petitioner to the respondent-Corporation in respect of the notice served on the petitioner under Section 314 of the Mumbai Municipal Corporation Act.

The learned counsel for the Corporation on instructions from Mr. Sushant Bagal, Sub Engineer, who is present in the Court

today, states that since the petitioner has filed the reply to the notice under Section 314 of the Mumbai Municipal Corporation Act, an appropriate order would be passed after considering the reply and the documents, tendered by the petitioner.

In view of the statement made by the learned counsel for the Corporation, the grievance the petitioner stands redressed. Hence, by accepting the statement made by the learned counsel for the Corporation, which would be binding on the Corporation, we dispose of the writ petition with no order as to costs. It is needless to mention that the Corporation would not be entitled to take any coercive steps against the petitioner till an appropriate order is passed. Order accordingly.

(Riyaz I. Chagla J)

(Smt.Vasanti A Naik, J)