

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.20831 of 2016

ORDER:

Heard Mr.Mohd.Moin Ahmed Quadri for petitioners and
Sri N.Praveen Standing Counsel for respondents 1 to 3.

The petitioners challenge Notice No.AM(P)/785(1)/2016-BDN,
dated 04.06.2016, as illegal and without jurisdiction.

On 29.06.2016, this Court granted interim stay of all further
proceedings pursuant to notice, dated 04.06.2016.

The respondents filed petition to vacate the interim order and
in the counter affidavit filed along with vacate stay petition, several
aspects, which have bearing on the notice and incidental
circumstances are stated.

Having regard to the stand taken in the counter affidavit, the
counsel for petitioners requests two weeks time to file
reply/explanation to the notice impugned in the writ petition.

The standing counsel for respondents submits that the
petitioners claiming protection of the interim order granted by this
Court on 29.06.2016 are changing the physical features and if
petitioners are successful in their attempts, it would be very difficult
for the respondent Corporation, thereafter to demolish or dispossess
petitioners. The standing counsel, however, submits that the
respondents are prepared to receive explanation, consider and
pass orders in accordance with law.

The statements are placed on record.

The writ petition is disposed of by this order.

(a) The petitioners are given two weeks time from today to submit reply/explanation to the notice impugned in the writ petition.

(b) The respondents are given liberty to collect evidence of physical features of the subject matter of writ petition as on date.

(c) The parties are directed to maintain *status-quo* as regards physical features as on date.

(d) The respondents are given liberty to communicate the obligation to maintain status-quo as regards physical features by the parties till the reply/explanation is considered and appropriate orders are passed.

(e) The respondents are directed to pass orders within four weeks from the date of receipt of reply/explanation, basing on the material on record.

Miscellaneous petitions, if any, pending, shall stand closed.

No order as to costs.

S. V. BHATT, J

Dt: 12.09.2017

Prv

