

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1636 OF 2018**

Chanakya Mandal Pariwar

..Petitioner

vs.

Pune Municipal Corporation and Ors.

...Respondents

Mr.Sandeep M. Phatak for the Petitioner.

Mr.Vishwanath Patil for the Respondent No.1.

Mrs.S.V. Bharucha a/w Mr. Pranil Sonawane & Mr. A.A. Ansari for the Respondent No.3.

Mr.Chandrakant Gaikwad, Deputy Engineer for the Pune Municipal Corporation.

CORAM : A.S. OKA & P. N. DESHMUKH, JJ.

DATE : 6th FEBRUARY, 2018

P.C.:

. Not on board. Taken on board.

2. The substantive challenge in this Petition is to the show cause notice issued under section 258 of the Maharashtra Municipal Corporation Act, 1949 calling upon the Petitioner to show cause as to why the building permission granted should not be revoked. The learned counsel appearing for the Petitioner states that the Petitioner has already submitted a reply to the said notice.

3. Mr.Patil, the learned counsel appearing for the Respondent Nos.1 and 2 on the instructions of Mr.Chandrakant Gaikwad, Deputy Engineer for the Pune Municipal Corporation states that even if the building permission is revoked on the basis of the impugned show cause notice, action of demolition will not be taken for a period of one month from the date on which the order of revocation is served to the Petitioner. We accept the said statement.

4. In view of the aforesaid statement, it is not necessary to entertain this petition challenging the show cause notice. Accordingly, the petition is disposed of. All contentions of the parties on merits of the notice are kept open.

(P.N. DESHMUKH, J)

(A.S. OKA, J.)