

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2924 OF 2018

Mr.Ajimullah Moulabux Shaikh. ... Petitioner.
V/s.
The Thane Municipal Corporation and others. ... Respondents.

Mr.Sandeep Mishra for the petitioner.
Ms.Krupali H. Rajani for respondent Nos.1 to 4.
Mr.Vivek V. Salunke for respondent No.5.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 6th April 2018.

P.C.:

Perused the affidavit of Shri Maruti Pandurang Gaikwad, Assistant Commissioner of Thane Municipal Corporation filed on behalf of the first to fourth respondents. In the affidavit, there is a statement made that an illegal construction was found and that action will be taken under section 260 of the Maharashtra Municipal Corporations Act, 1949 (for short “the said Act of 1949”). The learned counsel appearing for the first to fourth respondents states that in the last week, a notice under section 260 of the said Act of 1949 has been issued and that the notice will be taken to its logical conclusion as per the directions issued by this Court in the case of *Sopan Maruti Thopte and another v. Pune Municipal Corporation*¹. We accept the said statement made by the

¹ AIR 1996 Bom 304

learned counsel appearing for the first to fourth respondents on instruction.

2. By accepting the statement, the petition can be disposed of. If the petitioner finds that first to fourth respondents fail to take the notice to its logical conclusion within a reasonable time, it will always be open for the petitioner to make a complaint in that behalf to the first respondent and file appropriate proceedings.

3. Subject to what is observed above, the petition is disposed of.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)