

pmw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13603 OF 2017**

Madan Dashrath Vaity	... Petitioner
Vs.	
Assistant Commissioner and Ors.	... Respondents

Mr. S.S. Lidalkar i/by Mr. Mahesh R. Joshi for the Petitioner.
Ms. Oorja Dhond for the Respondent Nos.1 and 2.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 20th MARCH, 2018

PC.

1 Perused the order dated 5th March, 2018. In terms of the said order Shri Dhananjay V. Kulkarni, Assistant Engineer (I/c) of 'T' ward of the Mumbai Municipal Corporation has filed an affidavit dated 17th March, 2018. In paragraphs 3 to 6 of the said affidavit Shri Kulkarni has stated thus :-

- “3. I say that the Respondent Corporation will issue notices under section 351 of MMC Act to occupants/ owner of the building within 15 days.
4. I say that thereafter, process of hearing and speaking order will be completed in 1 month.
5. I say that process of inviting tender for demolition of building will be completed with 1 month.
6. I say that demolition will be carried out in 2 months.”

2 We accept the statements contained therein as undertakings of the Mumbai Municipal Corporation. In view of the said statements, now it is not necessary to keep the Petition pending and accordingly, we dispose of the Petition by passing the following order :-

ORDER

- (i) We accept the statements made in the affidavit dated 17th March, 2018 and in particular in paragraphs 3 to 6 as undertakings of the Mumbai Municipal Corporation;
- (ii) After complying with the affidavits, compliance affidavit shall be filed by the Mumbai Municipal Corporation on or before 5th June, 2018;
- (iii) Petition is disposed of with the above directions;
- (iv) For reporting compliance and for considering compliance affidavit, the Petition shall be listed under the caption of “Directions” on 8th June, 2018.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)