

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4164 OF 2018

Abdulla Abdul Latiff Sayyed. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Mr.Rohan P. Surve for the petitioner.
Mrs.R.A.Salunkhe, AGP for respondent Nos.1 and 2.
Mr.N.R.Bubna for respondent No.3.
Mr.FN.Momin with Mr.Gautam Jain for respondent Nos.9 and 10.

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

DATE : 13th June 2018.

PC.:

The learned counsel appearing for the third respondent has placed on record a copy of the order dated 12th November 2014 passed by the Fourth Joint Civil Judge, Junior Division, Bhiwandi in Regular Civil Suit No.633/2013. He stated that it is this order which prevents the third respondent from taking any action against demolition. On instruction, he states that the suit, if pending will be contested by the third respondent-Municipal Corporation and as and when the interim relief is vacated, immediate action of demolition shall be taken. We accept the said statement made on instructions. By accepting the said statement, we dispose of this petition. We also grant liberty to the petitioners to make representation to the Municipal Corporation as soon as the interim relief is vacated.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)