

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO. 6964 OF 2018

Moazzam Ali Shaikh ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Ashish Mishra for the petitioner.

Mr. M.M. Pabale, AGP for the respondent State.

**CORAM : SHANTANU KEMKAR &
NITIN W. SAMBRE, JJ.**

DATE : JUNE 29, 2018

P.C.:

Parties through their counsel.

2. The grievance of the petitioner is that though his appeal at Exh. "D" is pending before the Appellate Authority against the order dated 15/5/2018 Exh. "C" passed by respondent no. 3, notice has been issued to him on 27/6/2018 Exh. "F" asking the petitioner to vacate the structure within 24 hours failing which he will be forcibly evicted. According to the petitioner, as the Appellate authority is not functional, he is not able to apply for interim relief.

3. Keeping in view the aforesaid, we dispose of this petition by

directing that till the petitioner's stay application is decided by the appellate authority, the operation of the impugned notice dated 27/6/2018 Exh. "F" shall remain stayed.

5. With the aforesaid directions, petition is disposed of.

(NITIN W. SAMBRE, J.)

(SHANTANU KEMKAR, J.)