

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10400 OF 2015

Sandeep Yashwant Mahagavkar and another. ... Petitioner.
V/s.
The Commissioner, Municipal Corporation for
the City of Thane and others. ... Respondents.

Mr.Amol P. Mhatre for the petitioners.
Mr.Akshay Kapadia and Ms.Sairuchita Chowdhary i/b. J.Shekhar
& Co. for respondent Nos.1 and 2.

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

DATE : 18th January 2018

PC.:

The learned counsel appearing for the petitioners does not dispute that now the fourth respondent is no longer an elected Councilor.

2. The learned counsel for the petitioners submits that wife of the fourth respondent is now elected as a Councilor and the illegal structures erected by the fourth respondent and his wife have not been demolished. If that be so, the petitioners will have to file a fresh petition after making a representation to the first respondent seeking disqualification and seeking action of demolition. If such representation is made, the first respondent shall decide the same as expeditiously as possible and, in any event, within a period of six weeks from its date.

3. Subject to aforesaid directions, the petition is disposed of.

(PN.DESHMUKH, J.)

(A.S.OKA, J.)