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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10121 OF 2017

(Bharat Malshi Gala vs. Municipal Corporation of City of Thane and ors.)

Office Notes, Office
 Memoranda of appearances,
 Court's orders or directions &
 Registrar's orders.

Court's or Judge's orders

Mr. R. S. Datar for petitioner.
 Mr. A. R. Pitale for respondent nos.1 to 5.
 Mr. P. P. More, AGP for respondent no.6 -State.
 Mr. K. K. Malpathak for respondent no.9.

**CORAM : NARESH H. PATIL &
 NITIN W. SAMBRE, JJ.**

January 29, 2018.

P.C. :

1. It is submitted on behalf of the petitioner that in spite of the order passed by the Trial Court on 17/11/2016 and the order passed by this Court on 11/01/2017, the Corporation on 11/07/2017 has demolished the ground floor structure. Earlier to that, upper floor of the structure of the tenanted premises was demolished. The petitioner claims to be a tenant of shop nos.1 & 2 on the ground floor. It is submitted that proceedings are already initiated against the Corporation in the Trial Court in R.C. S. No. 756 of 2016.

2. In the facts of the case, we find that as the suit filed by the petitioner is pending, appropriate remedies be resorted to in the pending proceedings of the suit.
3. All issues on merits are kept open.
4. Petition is disposed of accordingly.

(NITIN W. SAMBRE, J.)

(NARESH H. PATIL, J.)