

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10902 OF 2018**

Dipak Lachhmandas Sirwani and Ors. ... Petitioners

Vs

The Commissioner, Ulhasnagar Municipal Corporation and Ors.. ... Respondents

Mr.Girish R. Agrawal for the Petitioners.
Mr.Nikhil Chavan for the Respondent No.1-UMC.
Mr.N.R.Bubna for the Respondent No.3.
Mrs.Shruti D. Vyas, "B" Panel Counsel for the Respondent No.4.

**CORAM : S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.
WEDNESDAY, 26TH SEPTEMBER, 2018**

P.C. :

1 When this Petition was moved in the morning session, all that we inquired from the learned AGP appearing on behalf of the Divisional Commissioner was, whether the Divisional Commissioner has indeed been approached by the petitioners in terms of Rule 3 of the Maharashtra Local Authority Members Disqualification Rules and particularly, in terms of sub-rule (4) and it is intimated by learned AGP, on instructions from the Commissioner, that the Commissioner has indeed received the information furnished.

2 It is stated on instructions now and post-recess, when this matter was kept back, by learned AGP that the Commissioner will take the requisite steps in terms of this sub-rule latest by Thursday, 27th September, 2018.

3 In view of this statement, which is made on instructions and is accepted as an undertaking to this Court, the Writ Petition is disposed of.

4 Needless to clarify that this Court has not examined rival contentions nor has it proceeded on the footing that the change has indeed come into effect. All contentions in that behalf of rival sides are kept open.

5 All concerned to act upon an authenticated copy of this order.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)