

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13027 OF 2018

WITH

CIVIL APPLICATION NO. 2444 OF 2018

Mr.Sanjay Garg

.. Petitioner

Vs.

Municipal Corporation of Greater

Mumbai and anr.

.. Respondents

ALONG WITH

WRIT PETITION STAMP NO. 32706 OF 2018

Mr.Sanjay Garg

.. Petitioner

Vs.

Assistant Commissioner

.. Respondent

Ms.Monika Jagtap a/w Mr.Chirag Desai & Mr.Latesh Fariya I/b
Solicis Lex, for the Petitioner.

Ms.Ooja Dhond, for the Respondent – Corporation.

Mr.Abhishek Patil, Assistant Engineer, Building and Factory,
'K'/West is present.

CORAM : M.S.KARNIK, J.

VACATION COURT

DATE : 16th NOVEMBER, 2018

P.C. :

. Not on board. Mentioned. Due to urgency, taken up
in the Production Board.

2. Learned Counsel for the Petitioner after arguing the matter for some time sought instructions from the Petitioner who is present in-person before the Court and submits that if time of seven days from today is granted, they will remove the temporary structure on their own. It is submitted by the learned Counsel for the Petitioner that the same was used for the purpose of shooting of a film and all equipments which are expensive are lying inside the temporary structure. She further submits that they have already started dismantling the structure.

3. Learned Counsel for the Respondent – Corporation opposes this request.

4. In view of the fact that the learned Counsel for the Petitioner on instructions of the Petitioner who is present in-person today submitted that the Petitioner is willing to file an undertaking to the effect that they would remove temporary structure within a period of seven days from today, I am inclined

to grant a period of seven days from today to enable the Petitioner to remove the temporary structure. Learned Counsel for the Petitioner on instructions further undertakes to pay the necessary charges/fees towards the temporary structure for these seven days including the charges/fees which are outstanding for the earlier period if any. An undertaking to be filed by the Petitioner to this Court in the above terms on or before 19/11/2018 with a copy to the Corporation.

5. It is made clear that if the structure is not removed within seven days from today, the Corporation is free to demolish the same.

6. In this view of the matter as nothing survives for consideration in the present Petitions, learned Counsel prays for withdrawal of these Petitions. Petitions are disposed of as withdrawn.

7. In view of withdrawal of the Petitions and in the

light of the undertaking to be filed by the Petitioner, nothing remains for consideration in the Suit. Learned Counsel for the Petitioners submits that an appropriate application would be made before the trial Court for withdrawal of the Suit.

8. In view of disposal of the Writ Petitions, all Civil Applications stand disposed of.

(M.S.KARNIK, J.)