

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.1489 OF 2017**

Irfan Fazlur Rehman Khan.

...Petitioner

Versus

1.The State of Maharashtra & Ors.

...Respondents

Mr.Momin Mohd. Farooque Nisar, for the Petitioner.

Mr.N.R.Bubna, for Respondent No.2-Corporation.

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

**CORAM : NARESH H. PATIL, ACTING CJ. &
G.S. KULKARNI, J.****DATE : 24th August, 2018**

P.C.:

1. The petitioner prays for direction to demolish the illegal unauthorised construction allegedly carried out by respondent nos.3 and 4.

2. The learned Counsel for the Corporation submits that the occupants have filed a civil suit and an ad-interim order is in operation. In this view of the matter, the learned Counsel for the Corporation further submits that the Corporation would move the Civil Court for getting the ad-interim relief vacated by filing an appropriate proceedings within two weeks.

3. In this view of the matter, we are not inclined to entertain the writ petition in extraordinary jurisdiction of this Court under Article 226 of the Constitution.

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4. Writ petition is accordingly disposed of.

5. All issues on merits of the matter are kept open to be contested in the civil suit.

[G.S. KULKARNI, J.]

[ACTING CHIEF JUSTICE]