

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LDG.) NO. 154 OF 2018

Mahendra Durlabhji Gathani and others. ... Petitioners.

V/s.

Municipal Corporation of Greater Mumbai
and another. ... Respondents.

Mr.Pradeep J. Thorat for the petitioners.
Ms.Shital Mane for respondent Nos.1 and 2.

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

DATE : 16th January 2018

P.C.:

Not on board. Taken on board.

2. The challenge is to the notices dated 6th January 2018 at Exh.U-1 to Exh.U18. We have perused the said notices. The notices mention that on failure of the petitioners to remove the structures within 24 hours, the Mumbai Municipal Corporation will take recourse to the provisions of law for removal of encroachments.

3. Thus, it is obvious that only on the basis of the impugned notices no action can be taken and that before taking action for removal of structures or encroachment, the Municipal Corporation will have to take recourse to the due process of law.

4. Subject to what is observed above, the petition is disposed of.

(PN.DESHMUKH, J.)

(A.S.OKA, J.)