

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

WRIT PETITION (LDG.) NO. 164 OF 2018

M/s.Laboratoires Griffon Private Limited. ... Petitioner.
V/s.
Mumbai Municipal Corporation. ... Respondent.

AND
WRIT PETITION (LDG.) NO. 165 OF 2018

M/s.Franco India Pharmaceuticals Private
Limited. ... Petitioner.
V/s.
Mumbai Municipal Corporation. ... Respondent.

Mr.Nitin P. Dalvi for the petitioners.
Ms.Shital Mane for the respondent.

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

DATE : 18th January 2018

P.C.:

Not on board. Taken on board.

2. Even according to the case of the petitioners, to the notice issued under section 351 of the Mumbai Municipal Corporation Act, 1888, the petitioners have filed a reply and no order has been passed on the basis of the said reply. The learned counsel appearing for the petitioners, on instruction, states that both the petitioners do not desire to file any further reply. We accept the said statement.

3. The Municipal Corporation will have to follow the law laid down in the case of *Sopan Maruti Thopate v. Pune Municipal Corporation*¹.

4. Hence, even going by the case of the petitioners, as of today, there is no apprehension that the structures will be demolished without following due process of law.

5. Hence, both the petitions are disposed of.

(PN.DESHMUKH, J.)

(A.S.OKA, J.)

¹ AIR 1996 Bom 304