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

WRIT PETITION NO.298 OF 2018

Surajmal Jain Chagau Lal and Ors.

... Petitioners

Vs.

The Municipal Corporation of Greater Mumbai and Anr. ... Respondents

Mr. Sajid Qureshi and Mr. Arshad Shaikh i/by Mr. A.A. Siddiqui for the Petitioners.

Ms. Vandana Mahadik for the Respondent – BMC.

Mr. Hemant Haryan, AGP for the Respondent – State.

Mr. Kiran Sonawane, Jr. Engineer, 'L' Ward present.

**CORAM : A.S. OKA &
P.N. DESHMUKH, JJ.**

DATE : 22nd FEBRUARY, 2018

PC.

1 The learned counsel appearing for the Mumbai Municipal Corporation on instructions of Shri Kiran Sonawane, Junior Engineer, 'L' Ward, makes a statement that the Mumbai Municipal Corporation will not take any action on the basis of the impugned notice dated 23rd December, 2017, the copies of which have been annexed as Exhibit – G and that the Municipal Corporation will initiate due process of law for demolishing the structure subject matter of this Petition by issuing a fresh notice. We accept the said statement made on instructions.

Therefore, considering the fact that now the notices dated 23rd December, 2017 which are impugned in the Petition cannot be acted upon, this Writ Petition need not be kept pending.

2 By accepting the aforesaid statement made on instructions by the learned counsel appearing for the Mumbai Municipal Corporation, the Petition is disposed of.

(PN. DESHMUKH, J)

(A.S. OKA, J)