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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.945 OF 2018

Shaikh Nazir Ahmed

...Petitioner

vs

Municipal Corporation of Greater Mumbai
through Municipal Commissioner

...Respondent

.....
Mr. S.K. Dubey, for the Petitioner.

Ms. Pooja Yadav, for Respondent – MCGM.

.....
CORAM : S.C. GUPTE, J.

DATED : 27 MARCH, 2018

P.C. :

. Heard learned Counsel for the parties. The subject matter of the present petition is an order issued by the Municipal Corporation of Greater Mumbai under Section 354 A of the Mumbai Municipal Corporation Act. It is the grievance of the Petitioner that the order is passed without considering the reply given by the Petitioner. It is submitted that, in fact, the order notes that there is no reply filed by the Petitioner. It is also submitted that there is a regularization application in the form of a proposal submitted to the Municipal Corporation. This proposal is filed with the building department of the Municipal Corporation. It is submitted that there is no consideration of this application and the same is pending. The Municipal Corporation is

directed to dispose of the proposal within a period of eight weeks from today and, in the meantime, not to take any coercive action against the Petitioner and for a further period of two weeks of communication of the order. The Petitioner is also directed to maintain status-quo in respect of the work, if any, being carried on at site till the regularization application of the Petitioner is considered and decided by the Municipal Corporation and for a further period of two weeks of communication of the order.

(S.C. GUPTE, J.)