

psv

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

WRIT PETITION (L.) NO.3867 OF 2018

Mangesh Shridhar Satamkar	..Petitioner
Vs.	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

Mr.R.K. Mendadkar with Ms.Tejasvini Bhamare for Petitioner.
 Ms.Dhruti Kapadia with Ms.Pooja Yadav for MCGM.
 Mr.Sachin Thorat for Original Complainant.
 Mr.Ubale, Assistant Commissioner, F/North Ward.

CORAM : G.S. KULKARNI, J.

DATE : 24th NOVEMBER, 2018

P.C.:

After this petition was heard for some time, learned Counsel for the Municipal Corporation fairly submits that the impugned order dated 12 November 2018 (page 20 of the paper book) passed by Mr.Keshav V. Ubale, Assistant Commissioner, F/North Ward, stands withdrawn by the Municipal Corporation. She further submits that the communication dated 15 November 2008 (at page 6 of the compilation as tendered by Mr.Mendadkar) is also being withdrawn by the Municipal Corporation. Statement is accepted. In view of the withdrawal of the order dated 12 November 2018 and the communication dated 15 November 2008, they are rendered inconsequential for all purposes.

2. Learned Counsel for the respondent is agreeable that the Municipal Commissioner shall issue a fresh notice intimating the petitioner of the date of a personal hearing to be granted and the time within which the petitioner and any other party would be permitted to submit the respective reply/documents. It is stated that such notice would be issued on or before 26 November 2018. Accordingly, the parties are at liberty to submit their respective reply/documents in the office of the Municipal Commissioner.

3. The Municipal Commissioner shall grant an opportunity of a personal hearing to the petitioner and any other party as concerned with the issue and pass a speaking order in accordance with law.

4. The petition in the above circumstances does not warrant further adjudication. It is accordingly disposed of in the above terms. No costs.

5. Needless to observe that all contentions of the parties on merits of the matter are expressly kept open.

[G.S. KULKARNI, J.]