

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2496 OF 2019

Vilas Ramdas Shinde .. Petitioner.
Vs.
State of Maharashtra & Others .. Respondents.

Mr.S.S. Deshmukh for the Petitioner.
Smt.M.P.Thakur AGP for the Respondent Nos.1 and 2 – State.
Mr.Vaibhav P. Patankar for the Respondent No.3.
Mr.S.V. Mane for the Respondent No.4.

**CORAM : S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.**

DATED : 11TH MARCH, 2019

P.C. :

1. This Writ Petition is filed on the presumption that the Full Bench judgment of this Court will not be binding or held to be so by the Municipal Authorities.
2. We have no doubt in our mind that once a representation is made and request therein is to apply this judgment and this Court has ensured that such representation is considered, then, presently nothing can be done. In the event, the Petitioner is aggrieved by a decision or an order of the Commissioner on the representation, they can take a recourse as permissible in law. The Writ Petition cannot be kept pending because a representation is yet not decided.
3. We clarify that the Writ Petition is disposed of by keeping all contentions of all the parties open.

(B.P.COLABAWALLA,J.)

(S.C. DHARMADHIKARI,J.)