

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13393 OF 2018**

Gulam Mohammed Khan Deceased Through LRs
& Ors

...Petitioners

Versus

The Competent Authority & Ward Officer,
D/Ward, Panvel Municipal Corporation & Anr.

...Respondents

Mr Uday Warunjikar, *for the Petitioners.*

Mr Akshay P Shinde, *for Respondents Nos. 1 to 3.*

Mr Shriram Hajare, *Ward Officer, Municipal Corporation, Panvel,*
present.

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ**

DATED: 26th June 2019

PC:-

1. We have heard both sides and we have perused the Writ Petition and its annexures.

2. On a query from the Court as to how the Panvel Municipal Corporation justifies the impugned orders on the basis of notices which are traceable to Section 51 of the Maharashtra Regional and Town Planning Act 1966 but purport to deal with a completed activity at site, on instructions, Mr Shinde says that the Panvel

Municipal Corporation withdraws the impugned notices and the orders based thereon with liberty to initiate fresh action in consonance with the Maharashtra Regional and Town Planning Act 1966 and the Maharashtra Municipal Corporations Act 1949 to deal with alleged unauthorised and illegal developments.

3. Accepting each of these statements made by Mr Shinde as undertakings to this Court, we dispose of this Petition. Nothing now survives in the notices and the impugned orders since they are withdrawn.

4. The writ petition is disposed of.

5. All contentions of both sides are kept open.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)