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

WRIT PETITION NO. 2305 OF 2019

Shri. Rahul Harinath Pal

...Petitioner.

vs

Bhiwandi Nizampur Municipal Corporation & Ors.

...Respondents

.....

Mr. Drupad Patil for the Petitioner

Mr. N.R.Bubna for the Respondent/Municipal Corporation.

.....

**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**

DATED 11 DECEMBER, 2019.

P.C.:

1. By the above Writ Petition, the Petitioner seeks direction against Respondent No.1 / Bhiwandi – Nizampur Municipal Corporation to demolish the unauthorized building comprising of Ground + 4 Upper Floors constructed by Respondent Nos.2 and 3 i.e. property House No. 171, Narpoli-2 situated at Bhiwandi, District Thane in respect of which a Notice dated 29.12.2016 has been issued being Exh “D” to the Writ Petition.

2. The learned Advocate appearing for the Municipal Corporation states that the Municipal Corporation will take action in the matter by following due process of law after verifying whether any protective order has been passed in favour of Respondent Nos.2 and 3, by any Court of Law. The statement is accepted. A copy of this order shall be served on Respondent Nos.2 and 3 by the

learned Advocate for the Petitioner by hand delivery and/or by Speed Post. The Writ Petition is accordingly disposed of.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)