

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

WRIT PETITION NO. 473 OF 2019

Mangesh Prabhakar Thakur	]	
Aged – 61 years,	]	
Occu. Retire, Indian Inhabitant	]	
Residing at Malti Cottage	]	
Village – Erangal,	]	
Post – Madh,	]	
Via- Versova,	]	
Andheri (E), Mumbai 400 061	]	.. Petitioner
Vs.		
1. State of Maharashtra	]	
Through Government Pleader	]	
High Court, Original Side	]	
	]	
2. The Tahasildar Borivali	]	
Dr. N.R. Karode Marg,	]	
Natakwal Lane, S.V.Road,	]	
Borivali (W), Mumbai-92.	]	
	]	
3. The Talathi	]	
Dr.N.R. Karode Marg,	]	
Natakwal Lane, S.V. Road,	]	
Borivali (W), Mumbai-92.	]	
	]	
4. Sub-divisional Officer,	]	
MSD, Bandra (E),	]	
Mumbai	]	.. Respondents

Mr.I.K. Tripathi I/b Mr.C.K. Tripathi, Advocate for petitioner.

Mrs.Uma Palsule-Desai, AGP for respondent Nos.1 to 4.

**CORAM : R. M. BORDE &
N.J. JAMADAR, JJ.**

DATE : 28TH MARCH 2019

JUDGMENT (PER R.M. BORDE, J.) :

1. Rule. Rule is made returnable forthwith and with the consent of the learned counsels for parties, heard finally at the stage of admission.
2. The petitioner is objecting to the order passed by the Sub-Divisional Officer, Western Suburb, Mumbai on 30th November 2018 disposing of the appeal preferred by the petitioner on account of failure to remove the deficiencies those have been recorded in the order. The learned counsel appearing for the petitioner undertakes to remove the deficiencies those are recorded in the impugned order passed by the Sub-divisional Officer within a period of two months from today. Subject to the undertaking tendered by the petitioner of removal of deficiencies within a period of two months from today, the order impugned in this petition passed by the Sub-divisional Officer dated 30th November 2018 is quashed and set aside.
3. In the event, the petitioner fails to remove the deficiencies as stated above, it would be open for the Sub-divisional Officer, Western Suburb to pass appropriate orders in accordance with the provisions of law.
4. Rule is made absolute in the aforesaid terms.

[N.J. JAMADAR, J.]**[R. M. BORDE, J.]**