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

WRIT PETITION NO.162 OF 2018

Satyendra U. Singh	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

Mr.Harish Adwant with Mr.Rajiv Deokar for the Petitioner.

Mr.Sukanta Karmakar, A.G.P. for the State – Respondent Nos.1 and 3.

Ms.Akansha Patil with Ms.Parvathy K. Iyer I/b M/s.Narayan & Narayan for the Respondent No.4.

Mr. Neveille Mukherjee I/b M/s.Verital Legal for the Respondent No.5.

CORAM : R.D. DHANUKA, J.
DATE : 11TH JULY, 2019.

P.C. :-

1. By this petition filed under Article 226 of the Constitution of India, the petitioner has impugned the order dated 13th November, 2017 passed by the respondent no.3. By the said order, the respondent no.3 had directed the petitioner to enter into an agreement with the respondent no.5 within three days from the date of receipt of the order making it clear that in the event of failure on the part of the petitioner, the structure would be demolished.

2. It is not in dispute that the suit structure is now already

demolished. The petitioner has not impugned the action of demolition already effected pursuant to the impugned order dated 13th November, 2017.

3. Learned counsel for the petitioner does not dispute that his client has already filed a civil suit for enforcement of the specific performance of the M.O.U. entered into between the respondent no.4 and the respondent no.5. The said suit is pending. The petitioner claims to be a member of the respondent no.4 society. It is also not in dispute that the petitioner has filed a separate suit bearing Suit (Lodging) No.963 of 2018 impugning the entire S.R.A. scheme and the said suit is pending.

4. In view of these circumstances, in my view, nothing survives in this writ petition and the same is accordingly dismissed as infructuous. Rule is discharged. There shall be no order as to costs.

(R.D. DHANUKA, J.)