

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7490 OF 2016**

Mr.Jagannath Ramsamuj Tiwari & Anr. ... Petitioners

Versus

Thane Municipal Corporation & Anr. ... Respondents

Mr.Suhas Oak a/w. Mr. Sagar A. Joshi for the Petitioners.

Mr.Ram Apte, Sr. Adv. a/w. Mr. Mandar Limaye for TMC.

**CORAM : S.J.KATHAWALLA, &
MILIND N.JADHAV , JJ.**

DATE : 18TH FEBRUARY, 2020

P.C. :

1. By the above Writ Petition, the Petitioners seek the following relief :

“(a) Writ of Mandamus or any other appropriate Writ in the nature of Mandamus, order or direction directing the Respondents to handover peaceful and vacant possession of Final Plot No. 211-A admeasuring 1099.30 sq. mtrs. of Town Planning Scheme No. 1, Thane situate lying and being at Mouje Naupada Taluka and Dist. Thane in the registration District and Sub District of Thane, within the limits of Thane Municipal Corporation to the Petitioners in accordance with law.”

2. The learned Senior Advocate appearing for the Thane Municipal

Corporation on instructions states that if the Petitioners file a fresh Application making submissions qua the Final Plot No. 211-A, the same shall be considered by the Corporation afresh and decided within a period of 16 weeks from the date of the receipt of application. The statement is accepted.

3. The learned Advocate appearing for the Petitioners on instructions states that the Petitioner shall file an Application within a period of one week from today and the relief/s sought with regard to Final Plot No. 211-A in Regular Civil Suit No. 687 of 2000 filed before the Civil Judge, Senior Division, Thane, will not be pressed. The statements are accepted.

4. All contentions of the parties are kept open.

5. Writ Petition is accordingly disposed off.

(MILIND N.JADHAV, J.)

(S.J.KATHAWALLA, J.)