

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

WRIT PETITION (ST.) NO.3666 OF 2020

Shyamsunder Radheshyam Agarwal ... Petitioner

Versus

The Commissioner,

Mira Bhyandar Municipal Corporation & Ors. ... Respondents

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Mr. Sharan Jagtiani, Senior Counsel with Sandesh Patil with Prithviraj Gole, i/b. Pavan Patil for the Petitioner.

Ms. Pooja Singh, i/b. N.R. Bubna for Respondent Mira Bhayander Municipal Corporation.

Mr. S.S. Panchpor, AGP for Respondent = State.

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CORAM : S.J. KATHAWALLA, &

R.I. CHAGLA, JJ.

DATE : 6TH MARCH, 2020.

P.C. :

1. Heard learned Advocates appearing for the parties.
2. Learned Advocate appearing for the Mira Bhayander Municipal Corporation states that, the Corporation will hear the Petitioner and the complainant and pass fresh orders in the matter. The statement is accepted. In view thereof, the following order is passed:-

i) The Corporation shall hear to the Petitioner as well as the complainant within a period of four weeks from today and thereafter pass its order within a period of eight weeks thereafter.

ii) The parties shall at liberty to tender written submissions in the matter.

iii) All contentions of the parties including the contention of the Petitioner that the Commissioner cannot decide the issue pertaining to the title are kept open.

(iv) Pending decision of the Commissioner, no coercive action shall be taken.

(R.I. CHAGLA, J.)

(S.J. KATHAWALLA, J.)