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

WRIT PETITION NO. 3062 OF 2019

Halai Memon Masjid Trust and Ors. ...Petitioners
vs
Municipal Corporation of Gr. Mumbai & Ors. ...Respondents

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Ms Shraddha Chaurasiya i/b Mr. Nitesh Acharya for the Petitioners
Ms. Rupali Adhate for the Respondent/ M.C.G.M.
Ms. Uma Palsule Desai AGP for the Respondent / State.
(Mr. Walunj, Asstt. Commissioner, 'L' Ward is present.
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**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**
DATED 13TH February , 2020.

P.C. :

By the above Writ Petition the Petitioner *inter alia* seeks direction against the Municipal Corporation to demolish and remove the unauthorized structure erected by Respondent No.7 in a time bound manner. Respondent No.7 is not present before the Court despite service. The learned Advocate appearing for the Municipal Corporation, on instructions from the Assistant Commissioner of 'L' Ward, states that they have already fixed the demolition program of the subject structure which is unauthorized, and the same shall be demolished on 18th February, 2020 and 20th February, 2020. The statement is accepted. In view of the statement made by the learned Advocate appearing for the Municipal Corporation, we are not inclined to pass any directions as sought or otherwise

against the officers of the Municipal Corporation. However, the Petitioner shall be at liberty to take out appropriate proceedings, if so advised, against Respondent No.7. Writ Petition is disposed of accordingly. The Municipal Corporation to report compliance on 24th February, 2020. In view of the request made on behalf of the Corporation, the Senior Inspector of Sakinaka Police Station is directed to provide adequate police protection to the demolition squad on 18th and 20th February, 2020 to carry out the demolition as per the programme fixed by the Corporation. The Writ Petition is disposed of accordingly.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)