

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9489 OF 2021

Sheetal Madan Malara
and another

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. D. P. Palodkar, Advocate for the Petitioners.

Mr. K. N. Lokhande, AGP for Respondent No. 1.

Mr. S. S. Tope, Advocate for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : 27th AUGUST, 2021.

PER COURT:-

. Mr. Palodkar, learned counsel for the petitioners submits that notice under Sections 260 and 478 of the Maharashtra Municipal Corporations Act, 1949 (hereinafter referred to as 'Act of 1949')) was issued to the petitioners. The petitioners have filed reply to the said notice. Without taking final decision pursuant to the notice issued under Sections 260 and 478 of the Act of 1949, the respondents on 12.08.2021 put a seal over the godown of the petitioners.

2. The learned A.G.P. accepts notice for respondent No. 1. Mr. Tope, learned counsel appears for respondent Nos. 2 and 3.

3. Mr. Tope, learned counsel submits that the committee is constituted under the chairmanship of the Additional Commissioner with regard to the property sealing and all other aspects of the matter. The committee would decide it within a period of one (01) month from today.

4. The property of the petitioners is sealed. According to the petitioners, the articles are lying in the said premises.

5. The respondent-Corporation may allow the petitioners to remove the articles from the premises sealed on 31.08.2021 from 11.00 a.m. to 5.00 p.m. The respondent-Corporation shall open the seal at 11.00 a.m. and reseal the said property at 5.00 p.m. on the said date. The committee shall decide the grievance of the petitioners as accepted by the learned counsel within a period of one (01) month from today. The respondents may also take final decision, if not taken with regard to the notice issued to the petitioners under Sections 260 and 478 of the Act of 1949 expeditiously.

6. Writ petition is disposed of. No costs.

7. Parties to act upon authenticated copy.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.