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

WRIT PETITION NO. 4371 OF 2017

NANDKUMAR MAHADEV PATIL

..PETITIONER

VS.

MIRA BHAYANDER MUNICIPAL
CORPORATION AND ANR.

..RESPONDENTS

Mr. Suraj Naik i/b. Mr. R.D. Suryawanshi for the petitioner.
Mr. N.R. Bubna for respondent nos. 1 and 2.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 8, 2021

P.C. :

This petition is filed challenging an order passed by the Appellate Court setting aside injunction granted by the trial Court in favour of the petitioner. A notice under Section 260 of the Maharashtra Municipal Corporation Act was issued against the petitioner for demolition of the offending structure.

2. This matter was taken up for admission on 12/4/2017 when this Court was pleased to issue rule and in the meantime granted ad-interim relief in terms of prayer clause (b). As a consequence, the corporation could not act

upon the notice. Considering that the ad-interim relief is operating since 12/4/2017 and the matter may take some time before it can be heard finally, learned counsel for the parties submitted that the suit itself could be directed to be decided expeditiously by continuing ad-interim relief granted for a reasonable time. The request made is reasonable.

3. The suit is of the year 2014. Learned counsel for the petitioner on instructions of the petitioner says that the petitioner undertakes to co-operate with the trial Judge in expeditious disposal of the suit and will not seek any unnecessary adjournments.

4. Learned Civil Judge (Senior Division), Thane, is requested to hear and decide Regular Civil Suit No. 429 of 2014 expeditiously and preferably within a period of one (1) year from today. Ad-interim order passed by this Court to continue till the disposal of the suit.

5. Parties undertake to communicate the order passed by this Court to the trial Court within a period of one (1) week.

6. All contentions are kept open.
7. I may not have understood to have expressed any opinion in respect of either of the respective contention.
8. The writ petition is disposed of.

(M. S. KARNIK, J.)