

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

WRIT PETITION NO. 6193 OF 2021

Ashish Mulji Shah

.. Petitioner

V/s

State of Maharashtra and Ors.

.. Respondents

Mr. Nikhil Wagh a/w Mr. Vishesh Srivastav, for the Petitioner.

Mr. R.A. Salunkhe, AGP for the State.

Mr. Mayuresh Lagu for the Respondent-BMC.

**CORAM: A. A. SAYED &
ABHAY AHUJA, JJ.**

DATE : 17th DECEMBER, 2021.

P.C. :-

Learned Counsel for the Petitioner, on instructions of the Petitioner, who is present in the Court, states that the Petitioner is willing to demolish rest of structure the building himself, if the Respondent/Corporation has no objection.

2. Learned Counsel for the Respondent/Corporation states that Corporation has no objection if the Petitioner demolishes the structure, which was earlier partly

demolished by the Respondent/Corporation.

3. We accept the statements made on behalf of the Petitioner and the Respondent- Corporation.

4. The Petitioner shall take all necessary safeguard measures, take photographs of the demolition and ensure that the debris is cleared at the earliest. The Respondent-Corporation shall co-operate and monitor the demolition of the structure by the Petitioner.

5. Once the demolition is carried out, the Petitioner shall communicate the same to the Respondent/ Corporation and the Respondent/Corporation shall record a panchnama in respect of completion of the demolition and forward a copy thereof to the Petitioner.

6. The Petition is disposed of in the aforesaid terms.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)