

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4893 OF 2021

M/s. Yusuf Enterprises through its Director
Yusuf Mohammad Qasim Sheikh .. Petitioner
Versus
Ambarnath Municipal Council & Ors. .. Respondents

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- Ms. Minal J. Chandanani i/by J.S. Chandanani & Associates for the Petitioner
 - Ms. M.P. Thakur, Addl. G.P. for the State
 - Mr. Prashant Kamble i/by A.S. Rao for Respondent Nos.1 & 2
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**CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : SEPTEMBER 2, 2021.

P.C.:

By the above Writ Petition, the Petitioner, *inter alia*, seeks the following reliefs:-

"a. That this Hon'ble Court be pleased to issue writ of mandamus or a writ in nature of mandamus calling for records and proceedings in respect of the notices dated 28th June, 2021, issued to the Petitioner under section 189(8) of Maharashtra Municipalities Act, 1965 read with section 45, 51 and 55 of Maharashtra Regional Town Planning Act, 1966, bearing reference no. 92/7 and after examining the validity, propriety of the same, the Hon'ble Court be pleased to stay the implementation and execution notice dated 28th June, 2021, issued to the Petitioner under section 189(8) of Maharashtra Municipalities Act, 1965 read with section 45, 51 and 55 of Maharashtra Regional Town Planning Act, 1966, bearing reference no.92/7;

b. That this Ho'ble court be pleased to issue a writ of mandamus or a writ in the nature of Mandamus or any other appropriate writ, order or direction directing the respondents to follow due process of law before taking any steps for demolition of the shops of the Petitioner."

2. Since the demolition is admittedly carried out, the Petition has become infructuous. No relief is therefore granted. The Writ Petition is disposed of as infructuous.

[MILIND N. JADHAV, J.]

[S. J. KATHAWALLA, J.]

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