

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

Digitally
signed by
BALAJI
GOVINDRAO
PANCHAL
Date:
2022.01.24
16:33:36
+0530

WRIT PETITION NO.720 OF 2022

Solapur Municipal Corporation Solapur
and Anr.

..Petitioners

Versus

Park Choupati Khadya Padarth Vikrete
Kalyankari Sanstha and Ors.

..Respondents

Mr. Vishwanath Patil a/w Ankit Lodha and Kewal Ahya, for the
Petitioners.

Mr. Surel Shah, for the Respondents.

CORAM : NITIN W. SAMBRE, J.

DATE : 24th JANUARY, 2022

PC.

1. The respondents initiated Regular Civil Suit No.956 of 2017 against the present petitioners/defendants seeking permanent injunction not to interfere in their business activity without following due process of law.

2. In the said suit, application Exh.5 came to be allowed vide impugned order dated 1st January, 2018 passed by District Judge-2, Solapur in Misc. Civil Appeal No.166 of 2017.

3. The contentions of the learned counsel for the petitioners are the aforesaid suit itself can be disposed of as the petitioners intend to proceed against the respondents/plaintiffs in

accordance with law particularly having regard to the provisions of Section 81-B of the Maharashtra Municipal Corporation Act.

4. The aforesaid proposition is not objected by the counsel for the respondents.

5. That being so, the present writ petition stands disposed of.

6. Regular Civil Suit No.956 of 2017 is accordingly disposed of in view of statement of the petitioners made on instructions that the respondents/plaintiffs shall be proceeded in accordance with provisions of Section 81-B of the Maharashtra Municipal Corporation Act.

[NTIN W. SAMBRE, J.]