

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

WRIT PETITION NO. 5544 OF 2021

Anand Krupa Tower CHS Ltd. Thr. Secretary
Osman Shaikh

....PETITIONER

V/S

Thane Municipal Corporation & Ors.

...RESPONDENTS

Mr. Sandesh Patil i/b. Mr. C. Y. Shah for the Petitioner.

Mr. K. N. Solunke, AGP for the Respondent-State

Mr. Mandar Limaye for the Respondent-Corporation.

Mr. Shrishailya S. Deshmukh for the Respondent Nos. 3 to 9.

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

**DATED : 8th FEBRUARY, 2022
(Through VC)**

P.C.:

The Petition has been filed by the Petitioner seeking the following reliefs:

(a) By an appropriate Writ / direction / order of this Hon'ble Court the respondent no. 1 be forthwith directed to take suitable action against the respondent no. 3 to 9 in accordance with law and issue stop work notice to the work carried out by the respondent nos. 3 to 9.

(b) By an appropriate Writ / direction / order of this Hon'ble Court the respondent no. 2 be directed to forthwith register FIR and carryout investigation in connection with the complaint preferred and take action in accordance with law.

2. On 16th September, 2021, we recorded the statement of learned Counsel for the Respondent Nos. 3 to 9 that repairs to the subject premises have already been completed after taking permission from the Respondent-Corporation.

3. The Respondent Nos. 3 to 9 have now filed Affidavit-in-Reply annexing therewith a letter of permission dated 16th March, 2021 of the Respondent-Corporation (Exhibit-D, page no. 88 of the Petition). Also annexed to the Affidavit-in-Reply is the Certificate of the Structural Consultant stating that the repairs and renovation work to the subject premises have been carried out in accordance with the permissions granted by the Thane Municipal Corporation. The Petitioner has accordingly informed the Respondent-Corporation that the said repairs and renovation work has been completed.

4. In the circumstances, there is no merit in the Petition. The Petition is accordingly dismissed.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)