

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4704 OF 2014

Arif Mohmmmed Shaikh

... Petitioner

*Versus*The Mira Bhayander Municipal Council,
Through Ward Officer

...Respondent

Mr. Mr. Waseem Khan i/b. Mr. Sameer M. Tendulkar, for the Petitioner.
Mr. Sachin Patil i/b. Mr. Mayuresh S. Lagu for Respondent.

CORAM: G. S. KULKARNI, J.
DATED: JANUARY 06, 2023

PC.

- 1.** The impugned order is passed under Section 260 of the Bombay Provincial Municipal Corporations Act, 1949. This petition has been filed under Article 227 of the Constitution of India. A petition under Article 227 of the Constitution assailing such order is certainly not maintainable. The petitioner is accordingly permitted to take recourse to the remedy as may be permissible in law. To enable the petitioner to do so, the interim order dated 8 May 2014 which has continued to operate till date, shall continue to operate for a period of eight weeks.
- 2.** The petition is accordingly disposed of. No costs.
- 3.** All contentions of the parties are expressly kept open.

(G. S. KULKARNI, J)

Corrected as per speaking to minutes dated 06/01/2023.