

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6811 OF 2023

Talha Tariq Qazi ...Petitioner
Versus
Kalyan Dombivali Municipal Corporation & Ors ...Respondents

Mr AY Sakhare, Senior Advocate, i/b RS Mirpur, for the
Petitioner.

Mr AS Rao, for Respondents Nos. 1 & 2-KDMC.

Mr Kedar Dighe, Addl GP, for Respondent No.3- State.

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 26th October 2023

PC:-

1. On written instructions, Mr Rao states that the impugned notice is being withdrawn. The impugned order dated 12th May 2023 mentioned in the Interim Application (Stamp) No. 15813 of 2023 also stands withdrawn.

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2. The Petition and the Interim Application are infructuous and are disposed of accordingly.

3. However, we clarify that the Municipal Corporation is at liberty to proceed afresh strictly in accordance with law.

4. If the Petitioner claims that any part of his structure or property has been damaged, the Petitioner is at liberty to take appropriate steps in that regard and to adopt any available remedy except by way of a Writ Petition.

(Kamal Khata, J)

(G. S. Patel, J)