

Santosh

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

**INTERIM APPLICATION NO. 13137 OF 2023
IN
APPEAL FROM ORDER (ST) NO. 16661 OF 2023**

SANTOSH
SUBHASH
KULKARNI

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KULKARNI
Date: 2023.07.10
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Zakir Abdul Kader Dawood Malvi

...Applicant

Versus

**Municipal Corporation of Greater Mumbai
and anr.**

...Respondents

Mr. Ashraf Ahmed Shaikh, for the Applicant/Appellant.

Ms. Smita Tondwalkar, for the MCGM/Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 5th JULY, 2023

PC:-

- 1. Heard the learned Counsel for the applicant.**
- 2. The learned Counsel for the appellant submits that after the appeal was circulated, the respondent – Corporation has taken action in terms of the impugned notice.**
- 3. The learned Counsel for the appellant seeks liberty to make an application seeking permission to re-erect the structure.**
- 4. In the event, such an application for permission to erect the structure, which has been demolished, is filed within a period of three weeks in accordance with the governing procedure, the respondent – Corporation shall decide the same**

within a period of four weeks thereafter, in accordance with law and governing DCR.

5. With this clarification the appeal stands disposed.

6. In view of disposal of the appeal, interim application does not survive and stands disposed.

[N. J. JAMADAR, J.]