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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9179 OF 2023

Dr JJ Magdum Trust through Vice Chairperson ...Petitioner
Versus
State of Maharashtra through Department of ...Respondents
Urban Development & Ors

Mr DV Sutar, with Kiran G Kulkarni, Deepak Jain, Latika Kabad,
Anjali Shaw, for the Petitioner.
Ms Rupali Shinde, AGP, for the Respondent-State.
Mr Gajanan Savagave, for Respondent No.3-Corporation.

CORAM M.S. Karnik &
Kamal Khata, JJ.
DATED: 8th May 2024

PC:-

1. Heard learned counsel for the Petitioner and learned counsel
for the Corporation.

2. We have perused the Affidavit in reply filed by the
Corporation. In view of the Affidavit, prayer clauses (b) and (c) are
worked out. However, so far as prayer clause (a) is concerned,
learned counsel for the Corporation on instructions submits that in

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view of the passage of time, if the Corporation intends to proceed with the demolition of the boundary wall, 2 weeks clear notice will be issued to the Petitioner. We have not gone into merits of prayer clause (a). Contentions kept open.

3. Needless to mention, the petitioner may respond to the notice mentioned above as and when the occasion arises. Development permissions, if applied, shall undoubtedly be considered on its own merits and in accordance with law.

4. The Writ Petition is disposed of. No costs.

(Kamal Khata, J)

(M. S. Karnik, J)