

Ganesh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8307 OF 2023

Vimal Devram Gangude & Ors ...Petitioners
Versus
Municipal Commissioner & Ors ...Respondents

WITH
WRIT PETITION NO. 525 OF 2024

Tulsiram Govardhan Das Kalan ... Petitioner
Versus
Kalyan Dombivli Municipal Corporation & Ors ...Respondents

Mr Datta Mane, with Shreyas Choudhari, for the Petitioners in
WP/8307/2023 & for the Respondents in WP/525/2024.
Mr MP Thakur, AGP, for the Respondent-State in both Writ Petitions.
Mr Sandeep D Shinde, for KDMC in both Writ Petitions.
Mr IM Khairdi, for Respondent No 6 in WP/8307/2023 and for the
Petitioner in WP/525/2024.

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 11th March 2024

PC:-

WRIT PETITION NO 8307 OF 2023

1. From the material shown to us by the Kalyan Dombivli Municipal Corporation (“KDMC”), we are satisfied that the KDMC has taken adequate steps to render the offending structure,

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which was unauthorised, uninhabitable. There may be some rubble remaining and a portion of the offending structure touches the wall of the adjacent structure which is a chawl. The KDMC has called upon the owner to take the necessary steps to complete the levelling of the site. That is to be completed within four weeks.

2. Writ Petition No 8307 of 2023 is disposed of as infructuous in light of these events and on the submission of the KDMC.

WRIT PETITION NO 525 OF 2024

3. Writ Petition No 525 of 2024 is filed by the owner of the structure that has been demolished. In our view, no further orders are required.

4. Writ Petition No 525 of 2024 is dismissed as withdrawn.

(Kamal Khata, J)

(G. S. Patel, J)