

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2735 OF 2024

Nusrat Aziz Bobde ...Petitioner
Versus
The State of Maharashtra & Ors ...Respondents

Mr RA Shaikh, *with Hasan Sayed & Shahbaz Pathan, i/b HK*
Sharma, for the Petitioner.
Ms MP Thakur, AGP, *for Respondents Nos. 1, 4 and 5-State.*

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 8th March 2024

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PC:-

1. Mentioned out of turn.

2. It is undisputed that the structure of the Petitioner is affected by the road widening project of the Bhiwandi Nizampur Municipal Corporation. On 14th January 2024, the Petitioner was asked to submit the documents so that the compensation could be calculated. Those documents have been submitted on 16th February 2024. There is no question of demolition without first deciding and paying the amount of compensation even if this is a road widening project.

3. The action under the impugned notice and specifically notice of any action of demolition is stayed until 26th March 2024. The Petitioners will give fresh notice to the municipal corporation by hand delivery and courier. On the next occasion, we expect to see that the municipal corporation has, on the basis of the submitted documents, decided the question of compensation.

4. This order will continue until the next date.

5. List the matter on 20th March 2024.

(Kamal Khata, J)

(G. S. Patel, J)