

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 76 OF 2024**

Mrs. Sylvina Marian Carvalho

... Petitioner

V/s.

Thane Municipal Corporation & Ors.

... Respondents

Mr. Mayuresh Lagu i/b. Mr. Sagar Patil for Petitioner.

Mr. Narayan Bubna for Respondent Nos.1 to 4.

Mr. Kedar Dighe, Addl. G.P a/w. Mr. A.A. Alaspurkar, A.G.P for Respondent No.5 & 6-State.

Mr. Sandeep Mishra for Intervenors.

Mr. Bhalchandra Ghuge, Asst. Commissioner of TMC, present.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 22nd January 2025.****P.C. :**

1) Mr. Bubna, learned Advocate appearing for Respondent Nos. 1 to 4, on instructions from Mr. Bhalchandra Ghuge, Assistant Commissioner of TMC, submitted that, in furtherance of Order dated 18th June 2024 passed by this Court, necessary action on the suit structure i.e. second floor of the building erected by the Respondent Nos. 7 & 8 has been taken. Since it was found that, the second floor constructed by the said persons was thoroughly illegal, it was demolished on 12th July 2024. He further submitted that, the

ground + first floor structure of the suit building i.e. Gomtibai Niwas is legally constructed and therefore no action is taken against it. That, Mr. Bhalchandra Ghuge, Assistant Municipal Commissioner has filed an Affidavit dated 5th August 2024 on record to that effect.

2) In view thereof, the grievance of the Petitioner as of today does not survive. Order dated 18th June 2024 is complied with.

3) Remove from board.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

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