

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 9276 OF 2024**LAXMI
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Javed Nazeer Shaikh

... Petitioner.

V/s.

Thane Municipal Corporation & Ors.

... Respondents.

Mr. Mayuresh Modgi for the Petitioner.

Mr. R. S. Apte, Senior Advocate i/b. Mandar Limaye for Respondent Nos. 1 to 5.

Mr. Kedar Dighe, Addl.G.P a/w S. S. Bhende for Respondent Nos. 6 and 8.

Mr. Sachin K. Hande for Respondent No.7

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 17th April, 2025.****PC:-**

1) In furtherance of Order dated 3rd March, 2025, Mr. Saurabh Rao, the Municipal Commissioner of Respondent No.1-Corporation has filed a detailed Affidavit dated 16th April, 2025. It is stated therein that, the officers of TMC on 10th April 2025, 11th April 2025 and 12th April 2025 initiated the action of demolition with the help of earth moving equipments and the entire structure came to be demolished to its zero level. The debris of the demolished property came to be removed. Necessary photographs in support of the said statement are also annexed to the said Affidavit.

- 1.1) In the said Affidavit the Commissioner of Respondent No.1 has stated that the necessary legal action has been initiated against the Assistant Municipal Commissioner Mr. Bhalchandra Ghuge and notice dated 3rd April 2025 is issued to him. That, he has taken serious note of the observations made by this Court vide Orders dated 24th January 2025, 14th February, 2025 and 3rd March 2025 and he ensured that the concerned officer will face appropriate action if he is found to be guilty in the inquiry.
- 2) Mr. Apte, learned Senior Counsel appearing for Respondent Nos. 1 to 5-Corporation on instructions submitted that, whatever charges the Corporation has incurred for demolition of the writ building will be recovered from Respondent No.7 as per the provisions of Section 267(3) and Section 267A of the Maharashtra Municipal Corporations Act, 1949.
- 3) In view of the above, the Order dated 25th March, 2025 is complied with and nothing further survives in the present Petition.
- 4) Petition is accordingly disposed off.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)