

MHAU130000922025



R.C.S. No.66/2025

**Shaikh Shahrukh Shaikh Sharif Vs. Municipal Corporation, Aurangabad**  
**ORDER BELOW EXH. 05**

Read the application. Heard Ld. Advocate for plaintiff. The suit is instituted against sole defendant i.e. Municipal Corporation by the plaintiff. The office of defendant corporation is situated in the City of Chhatrapati Sambhajnagar. Thus, the notice of an application for temporary injunction can be promptly served on defendant corporation. On the other hand, a notice causing alleged apprehension of demolition of suit property to the plaintiff is issued on 11.11.2025 by the defendant corporation and it is admittedly replied by plaintiff on today itself. Said notice purports to be issued on 11.11.2025 by defendant corporation under Section 260 and 478 of the Maharashtra Municipal Corporation Act, 1949. The due process of law to be followed by defendant corporation requires it to give 15 days time to the plaintiff which will expire on 27.11.2025. Moreover, it is not the case of plaintiff that, he has raised construction of suit shops by obtaining necessary permission from defendant corporation. In such circumstances, it is desirable to hear defendant corporation before passing any order against it and it does not appear the purpose of granting injunction will be defeated by delay due to service of notice defendant corporation.

Hence, issue notice to defendant corporation.

Date :- 13.11.2025

( **Shri. N. H. Tikhe** )  
Civil Judge Senior Division  
(Corporation Court), Aurangabad.

## **CERTIFICATE**

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of the Stenographer	: Vilas K. Chavan, Stenographer (Grade-II)
Court	: C.J.S.D.(Corporation Court), Aurangabad.
Date	: 13.11.2025
Order signed by the presiding officer on	: 13.11.2025
Order uploaded on	: 13.11.2025