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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7810 OF 2013

Family Planning Medical Centre Trust (E)Petitioner
Versus
Dy. Collector (Eviction & Encroachment) and
Competent OfficerRespondent

Ms. Deepali Deshmukh i/b. Mr. Balasaheb Deshmukh, advocate for the petitioner.

Ms. P. S. Cardozo, AGP for respondent No.1.

CORAM : RANJIT MORE, J.

DATED : 6th December, 2013.

P.C.:

Heard learned counsel appearing for the respective parties.

2. Issue involved in the above petition is similar to the issue involved in Writ Petition No.5283 of 2007, which is already admitted. In that view of the matter, Rule. Hearing is expedited.

3. To be heard along with Writ Petition No.5283 of 2007.

4. Ad-interim order granted earlier shall continue during the final hearing and disposal of this petition but with clarification that the said interim order will not prevent the authorities from exercising their powers in accordance with law and removing the structure of the petitioner, if the same is, in any way, obstructing or interfering with the passage or that the same is not permitted to be erected and, therefore, is unauthorized in terms of the relevant statutory provisions. Keeping that power intact, it is clarified that the interim order will continue.

(RANJIT MORE, J.)