

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11150 OF 2013**

Irfan Mohd. Latif Shaikh and Ors.Petitioners.
Versus
The State of Maharashtra & Ors. ...Respondents.

Mr. Nilesh Pawaskar, advocate for the Petitioners.
Ms. Aparna Vhatkar, AGP for the respondent/State.

**CORAM : RANJIT MORE, J.
DATED : December 2, 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 expedited.

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

4 There shall be interim relief in terms of prayer clause (c) 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.

(RANJIT MORE, J.)