

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 3185 OF 2021

Bandra Physical Culture Association

...Petitioner

Versus'

State of Maharashtra & Ors.

...Respondents

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Mr.Kuber Wagle a/w. Mr. Anuj Desai and Mr.Manish Parekh i/b. M/s. Purnanand & Co. for the Petitioner.

Mr. Hemant Haryan, AGP, for the Respondent -State.

Ms. Pallavi Thakar i/b. Ms. Aruna Savla for Respondent Nos. 2 to 5.

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**CORAM : R.D. DHANUKA &
V.G.BISHT, JJ.**

DATE : 4th February, 2021

PC.:

1. During pandemic period, the Municipal Corporation has demolished the impugned structure. We are not inclined to pass any order of reconstruction of the premises already demolished by the Municipal Corporation.

2. Rule. The learned AGP waives service for respondent -State. The learned Counsel for respondent Nos. 2 to 5 waives service.

3. Hearing is expedited.

4. The Municipal Corporation shall not take coercive steps against the petitioner to implement the notice dated 21st January, 2021 annexed at Exhibit GGG (page Nos. 184) of the petition.

5. The petitioner, however, shall not carry out any construction on the said land without prior permission of the Municipal Corporation.

(V.G.BISHT, J.)

(R.D.DHANUKA, J.)