

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10049 OF 2014

Municipal Corporation of Greater Mumbai : Petitioner.
Versus
The Tahshildar, Bhivandi and ors. : Respondents.

**Mr. P G Lad with Ms. Pallavi Thakur i/by Smt. U H Deshpande for the
Petitioner.**

Ms. Vaishali Nimbalkar, AGP for the Respondent Nos.1 and 2.

Mr. Nilesh S Das for the Respondent No.3.

**Ms. Martin Sapkal i/by Mr. Arun Sapkal & Co. for the Respondent Nos.4
and 5.**

CORAM : R. M. SAVANT, J.

DATE : 08th April 2015

P.C.

1 The Petitioner above named i.e. the Municipal Corporation of Greater Mumbai has invoked the jurisdiction of this court against the notice which has been issued by the Respondent No.1 – Tahshildar, Bhivandi in the certification proceedings in respect of Mutation Entry No.612.

2 Since the writ jurisdiction of this Court is invoked against the said notice, in my view, the challenge raised is pre-mature as the Tahshildar, Bhivandi is yet to decide the said proceedings. It is the contention of the learned counsel for the Petitioner that the lands in question in respect of which Mutation Entry No.612 has been made have been acquired for the purpose of Petitioner and more especially for the Water Treatment Plan of the Petitioner,

and that the possession of the said lands has been handed over to the Petitioner on 17/12/1988 and that the Special Land Acquisition Officer has also addressed a letter to the Revenue Authority for entering the name of the Petitioner. In my view, it is not necessary for this Court to go into the said aspect at this stage when the proceedings are yet to be culminated before the Tahshildar, Bhivandi. Hence by issuing directions to the Tahshildar to decide the said proceedings expeditiously and latest by 30/06/2015, the above Petition is disposed of. Needless to state that the Tahshildar, Bhivandi would decide the said proceedings in accordance with law.

[R.M.SAVANT, J]