

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

WRIT PETITION NO.1542 OF 2014

Uttam Parshu Sawant & Ors. .. Petitioners.
V/s
BMC and ors. .. Respondents.

.....

Mr. A.A. Siddiquie, for petitioners.
Ms. Vandana Mahadik, for respondent Nos. 1 and 2.
Mr. R.J. Mane, AGP, for respondent No.3.

.....

CORAM : SMT. VASANTI A. NAIK &
SHRI C.V. BHADANG
DATE : FEBRUARY 05, 2015

P.C.

By this petition, the petitioners seeks a direction to Corporation to provide a new public water connection to the petitioners, who occupy the structure on CTS No.16, 16/1 to 10 in Bandivali, Jogeshwari (West), Mumbai-400 102.

Ms. Mahadik, the learned counsel for the corporation states on instructions that the water connection cannot be granted to the petitioners having the structures on CTS No.16, 16/1 to 10 Bandivali, Jogeshwari (West), Mumbai-400 102, as it is a private slum and there is an on going dispute between the petitioners, who are tenants/occupants and the persons claiming to the owners or

landlords and they have raised an objection for the grant of water connection to the petitioners.

The learned counsel for the petitioners disputes the said position and states that there is no dispute between the petitioners and the so called owners or landlords.

Since disputed question of facts arise in this petition, the relief sought by the petitioners cannot be granted in exercise of the writ jurisdiction. The petitioners may, however, avail the other remedy.

The writ petition is disposed of with order as to costs. The points raised in this writ petition are kept open.

[C.V. BHADANG, J.]

[VASANTI A. NAIK, J.]