

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

WRIT PETITION NO.2002 OF 2015

Abhyudaya Co-operative Bank Limited

.. Petitioner

Versus

State of Maharashtra and others

.. Respondents

Mr. Madhur Rai i/by PRS Legal, for the Petitioner.

Mr. Milind More, Additional GP for the Respondent No.1 – State.

Mr. Vinod Mahadik, for the Respondent Nos.2 & 3.

**CORAM : A.S. OKA & G.S. PATEL, JJ
DATED : 19TH NOVEMBER 2015**

PC.

1. The order dated 6th May 2015 passed in this Petition reads
thus :-

“2) The learned Counsel appearing for the petitioner candidly states that the work carried on by the 4th respondent is as per the permission of the Municipal Corporation. In this Petition, there is no challenge to the permission granted by the Municipal Corporation to the 4th respondent. Hence, no case is made out for grant to ad-interim relief. Petition to be listed on board after all office objections are removed.”

2. From 6th May 2015 till today, there is no application made by the Petitioner for amending the Petition for incorporating a challenge to the permission granted to the 4th Respondent. The only prayer made in this Petition is for issuing a writ of mandamus to the Respondents for

issuing stop work notice to the 4th Respondent. Such a prayer cannot be granted in view of the observations made in order dated 6th May 2015.

3. If the Petitioner has any grievance regarding the development permission granted to the 4th Respondent, it is for him to adopt appropriate remedy in that behalf.

4. Subject what is observed above, the Writ Petition is disposed of.

(G.S. PATEL, J)

(A.S. OKA, J)