

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

WRIT PETITION (L) NO.2665 OF 2014

Mohammad Mohsin Shaikh

... Petitioner

Vs.

Municipal Corporation of Greater Mumbai & Ors.

... Respondents

Mr.Ram Mani Upadhyay for the Petitioner

Ms.Shobha Ajithikumar for Respondent Nos.1 and 2

**CORAM: SMT. VASANTI A. NAIK &
SHRI C.V. BHADANG, JJ.**

DATE: 16th FEBRUARY, 2015

P.C.:

Heard.

Since the petitioner could as well challenge the notice and the order u/s 351 of the Mumbai Municipal Corporation in a civil suit, we decline to entertain the writ petition against the same. Also, the building appears to be in a dilapidated and ruinous condition, from the photographs annexed to the petition. In this background, while continuing the interim relief granted by this Court by a period of 2 weeks, we make it clear that the petitioners would occupy the premises in question at their risk and costs.

On the motion made by the learned Counsel for the petitioner, the writ petition is disposed of as withdrawn. The interim order is continued

only for a period of 2 weeks with a clear warning that the occupation of the premises by the petitioners would be at their risk and costs.

Parties to act on an authenticated copy of the order.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)