

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

**NOTICE OF MOTION (L) NO.517 OF 2015
IN
WRIT PETITION NO.1082 OF 2015**

Sachin Manohar Kausal

..Applicant

IN THE MATTER BETWEEN :

Sachin Manohar Kausal

.. Petitioner

Vs.

Mumbai Municipal Corporation

.. Respondent

Ms.Aparna Devkar i/by M.P.Vashi & Associates for the petitioner.
Mrs.Geeta Joglekar for respondent-BMC.

**CORAM : A.S.OKA &
K.R.SHRIRAM, JJ.**

DATE : 24th August, 2015

P.C.

1 Not on board. Taken on board.

2 Heard learned Counsel for the applicant and the learned counsel for the respondent.

3 Perused the affidavit in support. It is pointed out that for grant of heirship certificate, it is necessary to file a Guardianship Petition. Our attention is invited to the Notice dated 21.8.2015 a copy of which is annexed

at Exhibit-D to the affidavit in support. Learned Counsel for the applicant-petitioner states that till the date of transfer of the license in the name of the applicant, he will not carry on business. We accept the said statement.

4 Reasonable time of two months deserves to be granted to the applicant to obtain heirship certificate.

5 Hence, we dispose of the Notice of Motion by passing following order :-

ORDER

- (i) Notice of Motion is made absolute in terms of prayer clauses-(a) & (b) subject to condition that the applicant-petitioner will not carry on business till the transfer of the license in his name ;
- (ii) Before issuing notice of demolition, 15 days' advance notice shall be served by the Municipal Corporation to the applicant-petitioner.

(K.R. SHRIRAM, J.)

(A.S.OKA,J)