

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

WRIT PETITION NO. 559 OF 2016

M/s. A. A. Auctioneers & Contractors
Pvt. Limited.

..Petitioner.

Versus

the Municipal Corporation for
Greater Mumbai and Others.

..Respondents.

Mr. R. J. Cama i/b Mr. P. B. Joshi for the Petitioner.
Mrs. Pallavi Thakar for MCGM.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **October 25, 2016.**

P. C. :

1. Mr. Cama, learned Counsel appearing for the Petitioner restricts this writ petition to the relief claimed in prayer clause (d). By the said prayer clause, directions are sought against the Respondent-Corporation to decide the Petitioner's application for prorata rebate or reduction in the licence fee within the time bound manner. Mr. Cama invited our attention to Clause 30 of the terms and conditions of the contract under which decision of the Municipal Commissioner is final and binding on the licensee.

2. Mr. Cama makes a grievance that repeated applications are made to the Commissioner, however, no action is taken on his requests.

3. In above circumstances, we deem it convenient to dispose of this writ petition by directing the Commissioner of Respondent-Corporation to decide the Petitioner's application dated 8th January 2016, copy of which is annexed at Exhibit-E and F to the petition, as expeditiously as possible and at any rate within the period of six weeks from the date of receipt of a copy of this order. Ordered accordingly.

4. It is made clear that we have not gone into merits of the matter and the Commissioner shall decide the Petitioner's application independently on its own merits and in accordance with law. All points and contentions are kept open.

5 The Petitioner shall approach the Commissioner with a copy of this order. the Petitioner is also at liberty to supply additional documents.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]