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

WRIT PETITION (L) NO.506 OF 2016

Jagdish s/o Anand Prasad Sharma
and ors

.... Petitioners

Versus

The State of Maharashtra and ors

.... Respondent

Mr. Sushil Upadhyay I/by Mr. A. M. Saraogi, for the petitioner.

Mr. Mohit Jadhav, AGP for respondent No. State.

Mrs. Geeta Joglekar for respondent No.2

Mr. Kunal Bhanage, for respondent No.3

Mr. Atul Singh, for respondent No.4.

**CORAM : A. S. OKA &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 3rd MARCH 2016.

P.C. :

1. Not on board. Taken on board.
2. Perused the prayers made in the petition. As of today, a notice under Section 314 of the Mumbai Municipal Corporation Act, 1888, has not been issued. Therefore, prayer clause (a) is premature. Moreover, the petitioner is unable to point out any legal obligation of the second respondent to measure the premises of the petitioner. As far as the prayer (b) is concerned, the petitioner is seeking a writ of mandamus against third and fourth respondents, who are private parties.

3. None of the reliefs prayed for in this petition can be granted by this Court.

4. In view of above position, the petition is disposed of with liberty to seek appropriate remedy before appropriate forum in accordance with law. All the contentions raised by the petitioner are expressly kept open.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[A. S. OKA, J.]