

BDPPS

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

WRIT PETITION (L) NO.683 OF 2016

Apsara International

.....Petitioner.

V/s

The Municipal Corporation of
Greater Mumbai & Ors.

..... Respondents.

Ms. Jyoti Chavan for the Petitioner.

Mr. Rakesh Singh i/b M.V. Kini & Co. for Respondent Nos. 2 and 3.

**CORAM: V. M. KANADE &
B.P. COLABAWALLA, JJ.**

DATE: 14th March, 2016

P.C.:-

1. Heard the learned Counsel for the Petitioner and the learned Counsel for Respondent Nos. 2 and 3.
2. Petitioner has challenged the show cause notice issued by Respondent No.1 – Corporation under Section 105B of the said Act. The contention of the Petitioner is that the show cause notice is not in consonance with the provisions of Section 105B.

3. We are of the view that this Petition has been filed prematurely since no order of eviction has been passed and the Petitioner now has been called by the competent authority to remain present on 17th March, 2016 on which date Petitioner will be heard and thereafter appropriate orders will be passed in accordance with law.

4. Reserving the right of the Petitioner to challenge the adverse order, if any, passed by the competent authority, Petition is disposed of. All contentions of the Petitioner and Respondents are kept open.

(B. P. COLABAWALLA, J.)

(V.M. KANADE, J.)