

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

WRIT PETITION NO.1532 OF 2013

Yogesh B. Mehta

...Petitioner

vs.

Municipal Commissioner of Greater
Mumbai and Others

...Respondents

Mr. Kunal Bhange, for the Petitioner

Ms. Shobha Ajitkumar, for Respondent Nos. 1 to 3 and 5.

Mr. F. Karachiwala a/w. Mr. Sneh Mehta i/b. Wadia Ghandy and Co.,
for Respondent No. 6.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : JUNE 09, 2016

P.C.:

1. Parties through their counsel.
2. The grievance of the Petitioner is that the sixth Respondent's building is not having occupation certificate. He also submits that the owner of the building has not complied with the provisions of Bombay Municipal Corporation Act and there is gross violation in regard to the various requirements.

3. On the other hand, the learned counsel for Respondent No. 6 has submitted that the said building is having all the requisite sanctions and certificates. As regard the occupation certificate in respect of "*Phiroze Jeejeebhoy Tower*" and "*Rotunda Building*", he submits that the applications are still pending and the Bombay Municipal Corporation has to take appropriate decision on it.

4. The learned counsel appearing for Respondent Nos. 1 to 3 and 5 submit that the Corporation shall look into the Petitioner's grievances as also the applications submitted by sixth Respondent and will take appropriate decision in the matter. She submits that in case it is found that there is any violation of the provisions of the Bombay Municipal Corporation Act and violation of the statutory rules or if there is requirement of fulfillment of statutory rules, the Respondent No. 6 will be informed accordingly. She submits that appropriate decision in accordance with law will be taken as expeditiously as possible.

5. In view of the aforesaid submission made by the learned counsel appearing on behalf of the Municipal Corporation, we dispose

of this Petition by directing the Municipal Corporation to consider the grievances of the Petitioner, as also the pending applications of the sixth Respondent in accordance with law and take appropriate action as may be permissible as expeditiously as possible but not later than four months from the date of the receipt of this order.

6. On the aforesaid direction, the Petition stands disposed of.

(M.S. KARNIK, J.)

(S.S. KEMKAR, J.)