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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2464 OF 2017

Navi Mumbai Merchants Chamber & Anr. ...Petitioners
Vs.
Navi Mumbai Municipal Corporation & Ors. ...Respondents

Mr. Rohan Kadam a/w. Mr. Akhil Tiwari
i/b. MKA Manilal Kher Ambalal & Co. for the Petitioners
Mr. S.V. Marne for the Corporation

**CORAM : NARESH H. PATIL &
M.S. KARNIK, JJ.
DATED : 15TH MARCH, 2017**

P.C. :

Counsel appearing for the Petitioner submits that the premises is sealed by the Respondent No.2. Learned Counsel for the Respondent No.2 states that the subject premises was to be used as Art Gallery, but it is utilized for commercial purposes.

2. Counsel appearing for the Corporation submits that violations of permission was noticed in respect of the subject premises and therefore, the Corporation had sealed the premises.

3. In case the Petitioner submits an undertaking to the Corporation that the premises shall be utilized for the purpose for which NOC was granted and for no other purposes, then the Corporation shall take appropriate decision of de-sealing of the premises.

4. Counsel for the Petitioner on instructions submits that liberty be granted to the Petitioner to submit a proposal, for change of user of the said premises.

5. Needless to mention that in case such a proposal is submitted, the Corporation shall take appropriate decision and pass reasoned order on the same.

6. The Petition is disposed of accordingly.

(M.S. KARNIK, J.)

(NARESH H. PATIL, J.)