

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

WRIT PETITION NO.1879 OF 2016

Jangid Tower Co-operative
Housing Society Ltd.
and another

... Petitioners.

Versus

Mira Bhayander Municipal
Corporation and others.

... Respondents.

....

Mr. Umesh Mankapure for the Petitioner.
Mr. A.P. Vanarse, AGP for Respondent-State.

....

***CORAM : Smt.Vasanti A Naik &
Riyaz Iqbal Chagla, JJ.***

DATE : 5th October, 2017.

P.C. :

The petitioners have sought for a direction against the Respondent No.1-Corporation to grant the building occupation certificate in respect of the buildings mentioned in the prayer clause. It is the case of the respondent-Corporation that the architect of the petitioners had not submitted the necessary documents pertaining to the grant of occupation certificate to the Corporation, especially the documents mentioned in the communication dated 19.03.2015 and hence the occupation certificate could not be granted to the petitioner. Since there is a dispute about the submission of the necessary papers, as asserted on behalf of the petitioner and the denial on the part of the Corporation in regard to the receipt of the same, the Writ Petition is disposed of, with the consent of the learned Counsel for the parties on the following terms:-

(1) The architect-respondent No.4 would submit the necessary documents required for the issuance of the occupation certificate pertaining to the properties mentioned in the prayer clause to the respondent-Corporation within six weeks and would cure the deficiencies that are mentioned in the communication dated 19.03.2015.

(2) The respondent-Corporation would take a decision on granting the occupation certificate to the petitioner, within four weeks from the date of receipt of the said documents from the respondent No.4

(3) No order as to costs.

(Riyaz I. Chagla J)

(Smt.Vasanti A Naik, J)