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

WRIT PETITION LODGING NO. 95 OF 2017

1. Mrs. Leena Atul Raimangya and anr. .. Petitioners

Vs.

1. Municipal Corporation of Greater Mumbai
and anr. .. Respondents

Mr. Dharam Sharma a/w Uma Sharma i/by Dharma and Co. for petitioners.
Ms. Vandana Mahadik for MCGM.

CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.

JANUARY 18, 2017.

P.C.

1. The petitioners' structure made of tin-sheet, adjacent to the society gate in the open area is the subject matter of the present petition. The Corporation issued notice to the petitioners under Section 55 of the Maharashtra Regional Town Planning Act, 1966. Learned counsel appearing for the petitioners submits that for last 52 years the petitioners are running small business in the said tin-sheet shed.

2. We have perused the photographs placed on record. Counsel appearing for the Corporation submits that the Corporation did not permit the petitioners or the society by granting specific license to carry out the business in the subject structure.

3. We are not inclined to exercise our writ jurisdiction for entertaining the present petition. The petitioners may resort to alternate remedy as permissible in law. However, the status quo as on today be maintained for a period of three weeks.

4. Petition is disposed of accordingly.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)