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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1312 OF 2015**

Maharashtra Machhimar Masevikrete Sangh (MMMVS)	... Petitioner
Vs.	
The Mumbai Municipal Corporation of Gr. Mumbai and Ors.	... Respondents

Mr. A.S. Karvande for the Petitioner.
Ms. Vandana Mahadik for the Respondent Nos.1 and 2.
Mr. U.S. Upadhyay, AGP for the Respondent No.3.

**CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 12th JULY, 2017

P.C.

1 Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first and second respondents. According to the case of the petitioner, the members of the petitioner are entitled to license a copy of which is annexed as Exhibit – 'B-1'.

2 There is an affidavit in reply filed by Shri Shrikant Sudhakar Parulekar, Assistant Superintendent of Markets (City) – 2. In the reply, he has stated that the allegations of discrimination made by the petitioner are not correct and in fact such licenses have been issued

to 30 eligible persons doing parcel packing business after thoroughly examining their cases.

3 The learned counsel appearing for the petitioner relies upon the statement made in the affidavit in rejoinder of Shri Charuhas A. Hambire, General Secretary of the Petitioner. The learned counsel appearing for the petitioner states that now 52 members of the petitioner have made applications along with copies of the requisite documents. A copy of one such application is annexed as Exhibit – I to the rejoinder.

4 The Municipal Corporation has accepted that to the eligible persons such licenses have been issued. Therefore, case of the members of the petitioner will have to be considered by the Municipal Corporation. Accordingly, we dispose of the Petition by passing the following order :-

ORDER

- (i) We direct the petitioner to produce copies of applications made by members of the petitioner along with annexures thereof in the office of the Assistant Superintendent of Markets (City) – 2 within a period of one month from today;

- (ii) If the said applications are pending, the appropriate Competent Authority of the Mumbai Municipal Corporation shall decide the said applications within a period of one month from the date on which the copies of the applications are produced by the petitioner;
- (iii) Issue of eligibility of the members of the petitioner to grant of license is kept open;
- (iv) Orders passed on the application be communicated to the individual applicants;
- (v) All contentions on merits are kept open.

(SMT. VIBHA KANKANWADI, J)

(A.S. OKA, J)