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

WRIT PETITION (L) NO. 379 OF 2017

Wassoodew Co-operative Housing
Society Ltd.

...Petitioner

Vs.

The Municipal Corporation of Greater
Mumbai & Ors.

...Respondents

Mr. Pradeep Thorat with Rupesh Mandhare,
Nirav Parmar i/b. Vijaya Ingule for the Petitioner
Ms. Jennifer Rebello, Respondent No.7 in person
Ms. Kegali Mastakar for the MCGM

**CORAM : NARESH H. PATIL &
M.S. KARNIK, JJ.
DATED : 7TH FEBRUARY, 2017**

P.C. :

The Petitioner challenges a notice issued under Section 488 of the Mumbai Municipal Corporation Act, 1888. It is submitted by the learned Counsel appearing for the Petitioner that an application for regularization has been submitted. Learned Counsel appearing for the Corporation submit that the application does not deal with all the defects pointed out in the schedule by the Corporation.

2. Without expressing any opinion we observe that the Executive Engineer (Building) H-Ward, Mumbai of the Corporation shall issue notice to the Petitioner to appear before the Executive Engineer (Building) H-Ward, Mumbai in connection with the application filed for regularization, if any. After hearing the Petitioner or his representative and other necessary persons who remain present before the Executive Engineer (Building) H-Ward, Mumbai a reasoned order be passed. The order shall be communicated to the Petitioner.

3. The Executive Engineer (Building) H-Ward, Mumbai also shall issue notice to Ms. Jennifer Rebello, Respondent No.7.

4. Till the order is passed by the Executive Engineer (Building) H-Ward, Mumbai the status-quo as on today shall be maintained. In case the order of the Executive Engineer (Building) H-Ward, Mumbai is adverse to the Petitioner the status-quo order shall continue further for a period of 2 weeks.

5. With the aforesaid observations the Writ Petition is disposed of.

(M.S. KARNIK, J.)

(NARESH H. PATIL, J.)