

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

WRIT PETITION NO.1748 OF 2017

Mr. Sharif Vazir Khan

... Petitioner.

Versus

Mrs. Noorjahan Maqbool
Ahmed Khan and others

... Respondents.

....

Ms. Nasim Khan for the Petitioner.
Ms. K.H. Mastakar for MCGM.

....

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

DATE : 13th October, 2017.

P.C. :

By this writ petition, the petitioner seeks a direction against the respondent Municipal Corporation to implement its order dated 28.11.2008 asking the respondent no.4 to demolish the pan shop within seven days or else the same would be demolished at his risk and cost.

We are not inclined to entertain the writ petition as it appears from the true copies of the documents annexed to the writ petition, specially annexure-C4 that the petitioner has filed some other proceeding in respect of his grievance relating to the illegal construction of pan shop by the respondent No.4. the petitioner has not disclosed about the said proceeding bearing appeal

no.1129/2014, of which the reference is made in annexure-C4. The petitioner cannot avail several remedies in respect of the same cause, at the same time.

In the circumstances of the case, we dismiss the writ petition with no order as to costs.

(Riyaz I. Chagla J)

(Smt.Vasanti A Naik, J)