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FARAD CONTINUATION SHEET No.

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

WRIT PETITION NO.1817 OF 2015

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.P.M.Shah a/w Ms Meetal Savla for the Petitioner

Ms Vandana Mahadik for MMC

Mr.Suresh Rajeshwar for the Respondent Nos.4 and 5.

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

DATE : JUNE 13, 2017

P.C.

1 Heard the learned counsel for the parties. The first substantive prayer is for calling for the record of the report pertaining to the notice dated 6th June 2014 issued by the Technical Advisory Committee. Today, the learned counsel for the petitioner has placed on record a copy of the report. The report records that the building is in totally dilapidated condition and it is impossible to carry out repairs.

2 Notice under section 354 of the Mumbai Municipal Corporation Act,1888 has been issued on 19th December 2008. The learned counsel for the petitioner

submits that the petitioner desires to challenge the report submitted by the TAC. The decision on the issue regarding present structural status of the building in question will involve adjudication of several disputed questions of facts. Therefore, it is for the petitioner to adopt appropriate remedy in that behalf.

3 Subject to what is observed above, we decline to entertain this petition under Article 226 of Constitution of India. The same is disposed of accordingly.

(VIBHA KANKANWADI, J.)

(A.S.OKA, J.)