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

WRIT PETITION NO. 748 OF 2017

Jaypathik Co-operative Housing Society Ltd. & Ors. .. Petitioners
Vs.
State of Maharashtra & Ors. .. Respondents

Mr. Tushar Gujjar i/b Solicis Lex for the Petitioners.
Mr. Hemant Haryan, Additional Govt. Pleader for the Respondent-State.
Ms. Sheetal Mane for the MCGM.

**CORAM : SMT. VASANTI. A. NAIK AND
MR. RIYAZ I. CHAGLA, JJ.**
DATE : 8th DECEMBER, 2017.

P. C. :

By this writ petition, the petitioners seek a direction against the respondent-corporation to trace the file pertaining to the sanction, approval and occupation certificate of the building occupied by the petitioners and provide the copies of the documents including the occupation certificate to them.

It is submitted on behalf of the petitioners that though the petitioners have made an application under the Right to Information Act before the Information Officer of the corporation seeking the copies of the documents, the documents are not supplied. It is stated that the petitioners were orally informed that the file relating to the relevant documents pertaining to the building in which the petitioners reside is not traceable.

We are not inclined to entertain the writ petition unless the petitioners avail the alternate remedy. If the petitioners had applied under the Right to Information Act for certain documents and if the corporation has failed to provide the same to the petitioners, the petitioners have a right to file an appeal before the appellate authority under the said Act for the redressal of their grievance. Instead of availing the said remedy, the

petitioners have rushed to this Court. Hence, we dispose of the writ petition with no order as to costs.

The points raised in the writ petition are however kept open.

[RIYAZ I. CHAGLA, J.]

[SMT. VASANTI A. NAIK J.]