

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**REVIEW PETITION (ST.) NO. 1675 OF 2018
IN
APPEAL FROM ORDER NO. 11 OF 2018**

Akhtar Husein A. Gani ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1648 OF 2018
IN
APPEAL FROM ORDER NO. 15 OF 2018**

Fahmida Akhtar Husein ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1659 OF 2018
IN
APPEAL FROM ORDER NO. 17 OF 2018**

Ramchandra B. More ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1664 OF 2018
IN
APPEAL FROM ORDER NO. 22 OF 2018**

Noorul Hasan Chaudhary ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1665 OF 2018
IN
APPEAL FROM ORDER NO. 12 OF 2018**

Haroon Nair Hussain	... Petitioner
Vs.	
Municipal Corporation of Greater Mumbai & Ors.	... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1671 OF 2018
IN
APPEAL FROM ORDER NO. 14 OF 2018**

Rais Shaikh	... Petitioner
Vs.	
Municipal Corporation of Greater Mumbai & Ors.	... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1673 OF 2018
IN
APPEAL FROM ORDER NO. 16 OF 2018**

Atharullah Rahmatullah Shaikh	... Petitioner
Vs.	
Municipal Corporation of Greater Mumbai & Ors.	... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1674 OF 2018
IN
APPEAL FROM ORDER NO. 23 OF 2018**

Amjad A. Rehman Khan	... Petitioner
Vs.	
Municipal Corporation of Greater Mumbai & Ors.	... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1676 OF 2018
IN
APPEAL FROM ORDER NO. 19 OF 2018**

Ibrahim B. Bilgi ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1678 OF 2018
IN
APPEAL FROM ORDER NO. 18 OF 2018**

Mohammad Hasanul Moiz ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1679 OF 2018
IN
APPEAL FROM ORDER NO. 13 OF 2018**

Shafee Shabir Khan ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

**WITH
REVIEW PETITION (ST.) NO. 1682 OF 2018
IN
APPEAL FROM ORDER NO. 21 OF 2018**

Sayed Salim ... Petitioner
Vs.
Municipal Corporation of Greater Mumbai
& Ors. ... Respondents

Mr. L.K. Tripathi a/w. Utkarsha Shukla i/b. C.K. Tripathi, Advocate for
the petitioners.
Mr. Kevic Setalwad, Senior Advocate a/w. Ms. Madhuri More,

Advocate for the respondent/Corporation.

Mr. Chirag Balsara a/w. Mr. Pratap M. Nimbalkar, Advocate for the Landlord.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 23rd January, 2018.

P.C.:

Upon mentioning, taken on production board.

2. These Review Petitions are directed against the order dated 18th December, 2017 thereby maintaining the order of the trial Court refusing ad-interim relief. These Review Petitions are made only on one point that the petitioners now have found a letter dated 12th August, 2009 issued by Assistant Engineer (Building & Factory) H/W Ward to Advocate Mr. Dinesh T. Gandhi, who was the counsel of the owner of the property.

3. The learned counsel for the petitioners submitted that in this letter, the Corporation has stated that the structures are not of recent origin and they are to be protected unless the structure are verified the censured structures by the Collector.

4. The learned senior counsel for the Corporation opposed these Review Petitions on the ground that they are not maintainable.

5. Perused the letter and considered the submissions made by the learned counsel for the petitioners. I am of the view that these Review Petitions are not coming within the ambit of Order 47 Rule 1 read with Section 114 of the Code of Civil Procedure and hence the Review Petitions are dismissed. The letter on which the petitioners are relying can be filed before the trial Court in the proceedings.

(MRIDULA BHATKAR, J.)