

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.1206 OF 2017**

1.Shri.Jogeshwari Achalgachha Jain Sangh & Ors....Petitioners

Versus

1.Municipal Corporation of Gr.Mumbai & Ors. ...Respondents

Mr.Atul Damle, Senior Advocate with Mr.P.M.Shah, Mr.Dishang Shah
I/b.Sanjeev R.Singh, for the Petitioners.

Ms.Sheetal Mane, for M.C.G.M.

Mr.Vyom Singh with Ms.Dipti Das, Mr.Anagh Pradhan I/b. Divya Shah
Associates, for Respondent Nos.8 and 9.

**CORAM : NARESH H. PATIL, ACTING CJ. &
G.S. KULKARNI, J.**

DATE : 24th August, 2018

P.C.:

1. Heard the learned Counsel for the parties. Perused the record. We find that disputed questions of facts are raised. The issue of title in respect of the subject property is also raised. The petitioners have already filed suit in respect of the subject premises. The learned Counsel for the petitioners submits that the petitioners would amend the suit by making further prayers.

2. In the facts of the case, we are not inclined to entertain the writ petition in extraordinary jurisdiction of this Court under Article 226

of the Constitution. Writ petition is accordingly disposed of.

3. All issues on merits of the matter are kept open to be contested in the suit.

4. We have not expressed any opinion on merits of the matter.

Prashant
Vilas
Rane

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Prashant
Vilas Rane
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[G.S. KULKARNI, J.]

[ACTING CHIEF JUSTICE]