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

WRIT PETITION (L) NO. 583 OF 2018

Mohd. Shafique Ansari ... Petitioner
Versus
Municipal Corporation of Greater Mumbai & ... Respondents
Ors.

Mr. Omprakash Singh, for Petitioner.
Ms. Pallavi Thakar for Respondents.

**CORAM: A.S. OKA AND
RIYAZ I. CHAGLA, JJ.**
DATED: 19TH MARCH 2018.

PC:-

1. Heard the learned counsel appearing for the Petitioner. Perusal of the letter of allotment at Exhibit "A" shows that the allottee of the structure is one Krishnadevi Pathella. The Petitioner claims to have taken the premises on the basis of an Affidavit executed by the said Krishnadevi Pathella. It is an admitted position that the alleged transfer has taken place on the basis of an Affidavit without seeking permission of the Municipal Corporation. Apart from the fact that by an Affidavit, transfer of immovable property cannot be lawfully made, the alleged transfer is without permission of the Municipal Corporation.

2. Hence, no case is made out for interference in this Petition

under Article 226 of the Constitution of India at the instance of the
Petitioner. The Petition is accordingly rejected.

(RIYAZ I. CHAGLA J.)

(A.S. OKA, J)