

VPH

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

WRIT PETITION (L) No. 632 OF 2018

Nandi Galli Shop Owners
Welfare Association & Ors. ... Petitioners
Vs.
Municipal Corporation of Gr. Mumbai & Ors. ... Respondents

Mr. Nitesh Acharya a/w Ashif Husain a/w Kavita Rathod, for the
Petitioners.

Mr. Sagar Patil, for the Respondent - BMC.

CORAM : A. S. OKA, &
P. N. DESHMUKH, JJ.

DATE : FEBRUARY 23, 2018

PC :

1. Not on the board. Taken on the board.
2. Considering the fact that this petition involves disputed question of facts, the learned counsel for the Petitioners seek leave to withdraw the petition with liberty to file a suit in the City Civil Court. Writ petition is allowed to be withdrawn with liberty as prayed.
3. To enable the Petitioners to file a suit in the City Civil Court, we direct the parties to maintain status-quo as of today in

respect of the subject structure for a period of 7 days from today.

4. We make it clear that City Civil Court shall consider the prayer of ad-interim relief / interim relief on its own merits without being influenced by a limited protection granted by this Court.

5. The writ petition is disposed of in the aforesaid terms.

Sd/-

[P. N. DESHMUKH, J.]

Sd/-

[A. S. OKA, J.]

Vinayak Halemath