

Sharayu Khot.

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

WRIT PETITION (L) NO. 1068 OF 2018

Mitesh Shah & Ors.

...Petitioners

Versus

**Municipal Corporation of Greater
Mumbai & Ors.**

...Respondents

Mr. Bipin J. Joshi, for the Petitioners.

Ms. Geeta Joglekar, for the Respondent-BMC.

**CORAM : ABHAY S. OKA AND
RIYAZ I. CHAGLA, JJ.**

DATE : 9 April 2018

ORDER :

1. Not on board. Taken on board.
2. After having perused the Affidavit in Reply filed by

Shri. Suraj P. Ambre, Assistant Engineer, TAC (W.S & Z-I), we find that the adjudication of various issues involved in this Petition will require the recording of oral evidence including the evidence of experts. More appropriate remedy will be to file a Civil Suit.

3. Accordingly, we decline to entertain this Petition. The Petition is disposed of. However, the remedies of this Petitioner are kept open. All the contentions on merits are also kept open.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]