

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1534 OF 2005**

Atlanta Premises Co-op Soc. Ltd. and Anr.

...Petitioners

vs.

Municipal Corporation of Brihan Bombay
and Ors.

...Respondents

Ms. Aditi Naikare i/b Mr. Pradeep Thorat for the Petitioner.

Ms. Pallavi Thakar for the Respondent-BMC.

Mr. V. S. Upadhyay, AGP for the Respondent-State.

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

DATE : 1st FEBRUARY, 2018

P.C.:

. Called out for final hearing. It is not in dispute that this Petition will be governed by the decision of the Division Bench of this Court in Appeal No.801 of 2004 (*The Municipal Corporation of Greater Mumbai & Ors. vs. Dalamal Tower Premises Co-operative Society Limited & Anr.*) and therefore, on the grounds urged in this Petition, no relief can be granted.

2. Accordingly, the petition is disposed of. Rule is discharged.

3. Ms.Naikare, the learned counsel for the Petitioners seeks continuation of ad-interim relief. Accordingly, we direct that the ad-interim relief which is operative till today will continue to operate for a period of 8 weeks from today.

4. Notice of Motion pending, if any, does not survive and the same is disposed of.

(P.N. DESHMUKH, J)

(A.S. OKA, J.)