

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1582 OF 2017**

Abdul Rashid Shaikh and 6 Ors.

..Petitioners

vs.

Saleh Mohamed @ Salim Qureshi and 4 Ors.

...Respondents

Mr.Pankaj Dwivedi for the Petitioners.

Ms. Shivani Shah a/w Mr. RyanMenezes i/b Jhangiani Narula & Associates
for the Respondent Nos.1 to 3.

Mr. Abhijit P. Kulkarni for the Respondent No.4.

Ms. Kejali Mastakar for the Respondent-BMC

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

DATE : 8th JANUARY, 2018

P.C.:

. Heard Mr. Pankaj Dwivedi, learned counsel for the Petitioners.
As far as prayer clauses (a), (b) and (f) are concerned, the Petitioners are seeking a writ of mandamus against the Respondent Nos.1 to 3, who are individuals. Therefore, no writ as prayed for can be issued. As far as prayer clauses (c) and (d) are concerned, the same are based on allegations of the breach of an undertaking committed by the Respondent Nos.1 to 3. The Petitioners will have to take a recourse to filing of a Petition seeking action under the Contempt of Courts Act, 1971 in that behalf. As far as the prayer clause (c) is concerned, if the Petitioners have any grievance about the assessment of rateable value for the purpose of property tax, they will have to adopt appropriate remedy in accordance with the Mumbai Municipal Act, 1888. As far as prayer clause (g) in this Petition is concerned, it is a consequential prayer.

2. Accordingly, we dispose of the Petition. We keep all the remedies of the Petitioners expressly open. All contentions of the parties

on merit are kept open.

(P.N. DESHMUKH, J)

(A.S. OKA, J.)