

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

WRIT PETITION {L} NO.1855 OF 2018

North Indian Education Society

.... Petitioner

Vs.

Municipal Corporation of Greater
Mumbai & Anr.

.... Respondents

Mr. Mujahid S. Ansari for the Petitioner.

Mr. H.C. Pimple for the Respondents.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.

DATE : JUNE 08, 2018

P.C:

1. We have heard the learned Advocate appearing for the petitioner. In view of the solemn undertaking given to this Court that the petitioner will not seek any extension but vacate the premises on or before 31-5-2018, a second petition on the same cause of action against the same eviction proceedings would not lie.

2. Apart from this, the Court has found on the earlier

occasion that a leave and licence agreement being executed and extended does not create any right in favour of the petitioner. The Municipal premises cannot be allowed to be used much less usurped in this manner. A petitioner like the one before us, running a school from the said premises, is therefore no exception. Merely because the school is reopening from 15-6-2018 is no ground to accommodate the petitioner any further. The writ petition is entirely misconceived and is dismissed. No costs.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)