

*Sharayu Khot.*

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

**WRIT PETITION (L) NO. 1938 OF 2018**

**Noorainbi Badruddin Shaikh**

**...Petitioner**

***Versus***

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

**...Respondents**

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Ms. Saloni Ghule, i/by Mr. Himanshu Kode, for the Petitioner.

Ms. Shital Mane, for the Respondents-BMC.

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

**DATE : 12 June 2018**

**ORDER :**

1. Not on board. Taken on board.

2. The civil suit filed by the Petitioner is pending in the City Civil Court. According to the case of the Petitioner, pending the suit, the subject structure has been demolished. Therefore, the Petitioner can always seek appropriate relief as regards the reconstruction in the pending suit.

3. In view of the pendency of the suit, we decline to entertain this Petition under Article 226 of the Constitution of India and the same is disposed of subject to the observations made above.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]