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

WRIT PETITION No. 2245 OF 2016

Manisha Sharad Mehta & Anr.	...	Petitioners
Vs.		
The Municipal Corporation of Greater Mumbai & Ors.	...	Respondents

Mr. Sandeep Maurya, for the Petitioners.
Ms. Vandana Mahadik, for the Respondent – BMC.
Ms. Krisjna Raja i/b LJ Law, for the Respondent Nos. 3 & 5.

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

DATE : JANUARY 15, 2018

PC :

1. Heard the learned counsel appearing for the parties.
Prayer (b) is the only substantive prayer. The contention is that before grant of the occupation certificate, a flat in the subject building was permitted to be occupied.

2. Today, the learned counsel for Respondent Nos. 3 and 5 has tendered on record a copy of full occupancy certificate and

building completion certificate, granted under the Development Control Regulations. The same is taken on record and marked “X-1” for identification. The said certificate shows that construction of the building has been completed and building completion certificate has been granted.

3. Even assuming that a premises in the building were permitted to be occupied without grant of occupation certificate, now, in view of grant of building completion certificate, no relief which is prayed in terms of prayer clause (b) can be granted. Hence, writ petition is disposed of.

Sd/-
[P. N. DESHMUKH, J.]

Sd/-
[A. S. OKA, J.]