

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 462 OF 2017
IN
WRIT PETITION NO. 71 OF 2009**

Gorai (I) Sanghamitra Coop Soc Ltd & Anr	...Petitioners
<i>Versus</i>	
Mumbai Municipal Corporation & Ors	...Respondents

Mr Sanjiv Sawant, *for the Applicants/Petitioners.*
Mrs Pooja Yadav, *for Respondent No. 1/MCGM.*

CORAM: G.S. PATEL, J
DATED: 29th January 2018

PC:-

1. The Notice of Motion seeks a return of original Receipt No. 2009 ACR 00828792 dated 6th February 2009 pursuant to an order dated 9th February 2017 in Notice of Motion (L) No. 865 of 2016 in Writ Petition No. 71 of 2009. There is an Affidavit in Reply on behalf of the Respondent. It is dated 29th January 2018. It says that the true copies of the receipt have already been sent by RPAD and another true copy is available today. The practice of the Corporation is that the original receipt is retained in the custody of the Accounting Department. The order dated 9th February 2017 will need to be modified so that the Petitioners can proceed with a true

copy of the receipt handed over to Mr Sawant today. The MCGM cannot obviously now insist on the original in view of the Affidavit, and since the MCGM itself has the original.

2. All authorities and departments will accept production of an authenticated or notarized copy of the true copy delivered today. All tax and revenue authorities are also directed to accept a notarized copy of the true copy handed over today including during the audit of the housing society's accounts.

3. The Notice of Motion is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)