

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

WRIT PETITION (LDG.) NO. 2358 OF 2018

Muchhala N.V. and others. ... Petitioners.

V/s.

Municipal Corporation of Greater Mumbai
and others. ... Respondents.

Mr.Kevin Setalwad, Senior Advocate with Mr.Madan Gupta
for the petitioners.

Ms.Pallavi Thakar with Ms.Shital Mane for the respondent- MMC.

Ms.Deepa Chavan with Ms.Reshmarani Nathani
for respondent Nos.6 to 12.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 17th July 2018.

P.C.:

Not on board. Taken up on board.

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2. The learned senior counsel appearing for the petitioners has tendered separate affirmed undertakings of the petitioners which are taken on record and marked as “U-1”, “U-2” and “U-3” for identification. In view of the undertakings, time of four weeks deserves to be granted to the petitioners to remove themselves from their respective premises in terms of the notice dated 25th June 2018.

3. While we accept the undertakings, we make it clear that we have not made any adjudication on the legality and validity of the notice dated 25th June 2018 and the present structural status of the subject building.

4. Accordingly, we pass the following order:

(i) The undertakings given by the petitioners in their respective undertakings which are taken on record and marked as “U-1”, “U-2” and “U-3” for identification are accepted;

(ii) In view of the undertakings, we direct that action of dispossessing the petitioners from their respective premises shall not be taken on the basis of the impugned notice for a period of four weeks from today;

(iii) Writ petition is disposed of on the above terms.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)