

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5233 OF 2019**

**M/S Akshar Shanti Realtors
Pvt. Ltd. and Anr. ... Petitioners**

Vs

**Mira-Bhayander Municipal
Corporation and Ors. ... Respondents**

Mr.Nikhil Rajani I/b M/S V. Deshpande
and Co. for the Petitioners.

Mr.Nishant Sasidharan I/b Pravin Mehta
and Mithi and Co. for Respondent No.3.

**CORAM :- S. C. DHARMADHIKARI &
M.S.KARNIK, JJ.**

DATE :- MAY 02, 2019

P.C. :-

If the stop-work notice once issued has not been persuaded by the Municipal Corporation bearing in mind the nature of the dispute between the parties, then, the only course open to the petitioners is to file a Civil Suit so as to protect their right, title and interest in the immovable property. They can seek appropriate reliefs by making even the Municipal Corporation as party in that Suit. The writ petition is not the remedy and it is dismissed. There will be no order as to costs.

(M.S.KARNIK, J.)

(S.C.DHARMADHIKARI, J.)