

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

WRIT PETITION NO.724 OF 2019

Old Hemant Villa Co-operative
Housing Society ... Petitioner

Vs

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

Dr.Abhinav Chandrachud a/w Ms.Sonam
Mhatre and Mr.Tejas Gokhale I/b Dhaval
Vussonji & Associates for the Petitioner.

Ms.Vandana Mahadik for Respondent
Nos.1 to 4.

Mr.Abhay Patki, Additional Government
Pleader for Respondent No.5.

CORAM :- S. C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.

DATE :- MARCH 27, 2019

P.C. :-

1. Having heard Mr.Chandrachud appearing on behalf of the petitioner and perusing the writ petition as also its annexures, we are of the firm view that all the grievances as are projected in this writ petition can be made subject matter of the appeal under Section 217 of the Mumbai Municipal Corporation Act, 1988.

2. Once there is a remedy of appeal available to the petitioner, which is not only alternate, but equally efficacious, then, we are not bound to entertain the writ petition. The writ petition is dismissed accordingly.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)