

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

WRIT PETITION (L) NO.922 OF 2019

Rajinder Singh Sohan Singh ... Petitioner

Vs

The Municipal Corporation of
Greater Mumbai and Anr. ... Respondents

Ms.Nita Mandhyan I/b S.M.Associates for
the Petitioner.

Ms.Vandana Mahadik for the
Respondents.

Mr.Gartola Jitendra Vithal, Sr.Inspector ,
License, H/W Ward present.

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

DATE :- MARCH 27, 2019

P.C. :-

1. The apprehension of the petitioner is that he would be shifted from the original spot from which he is carrying on his business and for the past 43 years, to some other location. This will totally uproot him and will deprive him of his source of livelihood.

2. On such a writ petition, on earlier occasion, we directed Ms.Mahadik to take instructions and make an appropriate statement.

3. On taking instructions from the official of the Municipal Corporation of Mumbai, who is present in Court, Ms.Mahadik states that presently there is no proposal to shift the petitioner from the spot and, particularly, the stall described in para 1 of the petition to some other location. The Municipal Corporation will take appropriate decision and when all other and similarly placed like the petitioner will be shifted, the Municipal Corporation will take a call on shifting the petitioner. There is no such apprehension for the time being and the petitioner can continue his business activities from the original spot.

4. Presently, the petitioner is not allotted a permanent stall as an alternative, but has been removed from the original spot to a temporary structure. If this arrangement is temporary, then, needless to state that the effect of the above statement and which is accepted as an undertaking given to this Court would be that the petitioner must be brought to the original spot and particularly, described in para 1 of the petition. That he would be brought there and within a period of two weeks from today is the assurance coming from the Municipal Corporation. Accepting it as well, we dispose of this writ petition.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)