

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

WRIT PETITION NO. 3328 OF 2018

Mrs. Rajni Amritlal Batra

.. Petitioner

v/s.

The State of Maharashtra & Ors.

.. Respondents

Mr. Ashok Kumar Mishra for the petitioner

Mr. Kedar Dighe, AGP and Mr. Himanshu Takke, AGP for respondent nos. 1 and 2

Mr. Rishikesh Soni and Ms. Raveena Yadav I/b Ashok Purohit & Co. for respondent no.4

Mr. Sagar Patil for respondent – BMC

**CORAM : A.S. OKA &
M.S. SANKLECHA, J.J.**

DATED : 11th MARCH, 2019

P.C.

1. Heard learned Counsel appearing for the petitioner. According to the case of the petitioner, the original premises in the property under redevelopment was standing in the name of the petitioner's mother. The respondent no.8 is the wife of the petitioner's real brother. Averments made in the petition show that the name of the respondent no.8 is already included in Annexure-II. There is no challenge to Annexure-II in this petition. The only contention raised by the petitioner is that the name of the respondent no.8 was included in

Annexure-II on the basis of forged and fabricated documents. The issue whether documents produced by the respondent no.8 are forged and fabricated, cannot be decided in writ jurisdiction under Article 226 of the Constitution of India. The remedy of the petitioner is to approach competent Court and seek appropriate relief. Therefore, we decline to entertain this petition under Article 226 of the Constitution of India.

2. The petition is accordingly disposed of. It will be always open for the petitioner to file appropriate proceedings in accordance with law.

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)