

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 84 OF 2017
WITH
NOTICE OF MOTION NO. 446 OF 2017
IN
WRIT PETITION 84 OF 2017**

Laxmikant Sawant

....Petitioner

V/S

The Municipal Corporation Of Greater Mumbai
& Ors.

....Respondents

Vishal Thaker a/w. Nandita Shah i/b. Thakers's Advocates for the
Petitioner

Ms Kavita Anchan a/w. Arsh Misra i/b M. V. Kini & Co. for the
Respondent Nos.7 & 8

Mr Amit Shastri AGP for the Respondent Nos. 4 to 6-State

Ms Trupati Puranik for for Respondent Nos. 1 to 3

Laxman Thore SE T.P. present.

**CORAM : A. A. SAYED &
ANUJA PRABHUDESSAI, JJ.
DATED : 13th December, 2019**

P.C.:

The challenge in the Petition is essentially to award dated
23rd September, 1986 and to the orders dated 21.03.2016 and
26.05.2016.

2. In the Affidavit-in-Reply on behalf of the Respondents, it is
pointed out that the possession of the land in question was taken
as far back in the year 1986 and the name of the Respondent
Corporation appears in the property card from the year 1991. The

present Petition has been filed after an inordinate delay in the year 2017 that too by the Petitioner who has purchased the subject property only in the year 2015-16. The predecessor in title of the Petition had not challenged the award dated 23.09.1986. So far as the challenge to the orders dated 21.03.2016 and 26.05.2016 is concerned, the same relates to the mutation entries, for which the Petitioner has an alternate remedy.

3. For the aforesaid reasons, we are not inclined to entertain the Petition. The Petition is dismissed.

4. The Notice of Motion does not survive and to stand disposed of.

(ANUJA PRABHUDESSAI, J.)

(A. A. SAYED, J.)