

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 2991 OF 2019

Shree Ayyappa Seva Sangham

...Petitioner

Versus

The Municipal Corporation of Greater Mumbai
& Ors

...Respondents

Mr SG Deshmukh, with Gautam Kanchanpurkar, for the Petitioner.
Ms Vandana Mahadik, for Respondents.

**CORAM: S. C. Dharmadhikari &
G. S. Patel, JJ.**

DATED: 18th October 2019

PC:-

1. Not on board. Urgency made out.

2. Having heard Mr Deshmukh for the Petitioner at some length and finding that in writ jurisdiction it is not possible to resolve a factual dispute about the existence of a structure prior to the datum line, on instructions, Mr Deshmukh seeks leave to withdraw the Writ Petition with liberty to file a Suit.

3. The Writ Petition is disposed of as withdrawn with liberty as prayed.

(G. S. Patel, J)

(S. C. Dharmadhikari, J)