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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No. 145 of 2017

Khar Shiv-Shakti Co-operative Housing Society Ltd. ..Petitioner.

Vs

The Municipal Corporation for Gr. Mumbai & Ors ..Respondents.

Mr. Ravish Mishra i/by Mr. Vijay B. Dhingraj for Petitioner.

Ms. Dhruti Kapadia and Ms. Rupali Adate and Ms. Yamuna Parekh for MCGM.

Mr. S.P. Nalawade for Respondent No.3.

**CORAM : S.J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**

DATED :- 19th December, 2019.

P.C. :-

1. The petitioner has filed the above Writ Petition seeking inter alia the following relief :-

(a) that this Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India directing Respondent Nos. 1 and 2 to remove, alter or demolish the changes unauthorizedly effected in the said premises namely parking spaces under stilt bearing Nos. 1, 2, 3 and 5 to restore the said premises to their original position.

2. The Municipal Corporation has issued notices to the parties informing them that they shall be given a personal hearing by the Executive Engineer (Bldg. Proposal), “H” West Ward. The parties have agreed before the Court that they will appear before the Executive Engineer, Bldg. Proposal “H” Ward on 24th December, 2019. The Executive Engineer of “H” West Ward after giving personal hearing to the parties, shall take appropriate steps in accordance with law.

3. The Writ Petition is accordingly disposed of.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)