

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (Lodging) No. 3162 OF 2019

Diamond Bakery & Anr .. Petitioners.

Vs

Municipal Corporation of Gr.Mumbai & Ors ..Respondents.

Mr. Amrut Joshi a/with Nakul Jain and Hussain Dholkawala i/by Ganesh & Co. for petitioners.

Mr. Anoop Patil a/with Ms. Yamuna Parekh and Ms. Rupali Adhate for Respondent No.1-MCGM.

Mr. Rajaram Jagtap, Sub Engineer Maintenance Department “N” Ward from MCGM present.

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

DATED :- 5th DECEMBER, 2019.

P.C. :-

1. The petitioners shall at 11.00 a.m. on 19th December, 2019 appear before the Assistant Commissioner “N” Ward of the Municipal Corporation of Greater Mumbai (MCGB) and produce all the documents which they wish to rely

upon in support of their case that they are eligible to receive permanent alternate premises. The Assistant Commissioner of “N” Ward of MCGB shall after hearing the Petitioners and perusing the documents submitted by the petitioners, pass his order qua the eligibility of the petitioners and forward a copy of his order to the petitioners. The earlier notice issued by the Corporation directing the petitioners to remove the structure shall not be acted upon until the decision of the Assistant Commissioner, ‘N’ Ward is conveyed to the petitioners and for a period of two weeks thereafter if the decision is adverse to the petitioners. The Writ Petition is accordingly disposed of.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)