

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (Lodging) No. 3349 OF 2019**

**Zigma Properties Limited**

**..Petitioner.**

**Vs**

**The State of Maharashtra & Ors**

**..Respondents.**

Mr. Nikhil Jaykar a/with Smita Sawant i/by Dave & Co.for the petitioner.

Mr. Anoop Patil a/with Vandana Mahadik, Sheetal Metakari for the Petitioner.

Mr. Sachin Ghewde, AE (Market) from MCGM present.

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

**DATED :- 9<sup>th</sup> DECEMBER, 2019.**

**P.C. :-**

1. The petitioner has agreed to accept from the Mumbai Municipal Corporation of Greater Mumbai (**MCGM**) the temporary alternate premises at Sodawala PAP Market at Borivali (West), Mumbai admeasuring 292 square feet (carpet) (**the said premises**). The construction of the said premises shall be

completed by the petitioner at his cost, without claiming any equities. The learned Advocate appearing on behalf of the MCGM on instructions, states that the said premises shall be handed over to the Petitioner within a period of four weeks from today. The undertaking is accepted.

2. The Petitioner shall upon receipt of the said premises, apply for necessary permissions, which permission shall be forthwith granted by MCGM as per law and upon payment of necessary charges, if any. It is made clear that the Petitioner may file a fresh Writ Petition for determination of the issue pertaining to permanent alternate premises.

3. Ad-interim order granted earlier shall continue until the said premises is demarcated and handed over to the petitioner by MCGM.

4. The above Writ Petition is accordingly disposed of.

**(B.P. COLABAWALLA, J.)**

**(S.J. KATHAWALLA, J.)**