

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 6866 OF 2019

Dynamic Logistics Pvt. Ltd.

..Petitioner.

Vs

The State of Maharashtra & Ors

..Respondents.

Ms.Ankita Singhania a/with Nilofer Sayed a/with Shaila Taware i/by Shweta

Rathod and Prashant Mairale for the Petitioner.

Mrs. M.P. Thakur, AGP for Respondent No.1.

Mr. Rohit Sakhadeo a/with Purshkar Nagpurkar for Respondent No.2.

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

DATED :- 20th JANUARY, 2020.

P.C. :-

1. The Advocate representing the Corporation has raised an objection to the filing of the above Writ Petition by pointing out that the order impugned in the above Writ Petition is appealable under Section 406 of the Maharashtra

Municipal Corporation Act and therefore, the Petitioner be directed to file an Appeal. We are in agreement with the said submission. We are therefore, not passing any orders in the above Writ Petition, save and except that the Petitioners are at liberty to move the Appellate Authority. However, in the event of the Petitioner filing an Appeal, the Corporation will not contend that the same is not filed within time and therefore, ought to be dismissed on that ground.

3. The above Writ Petition is accordingly disposed of.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)