

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.3085 OF 2019**

Marol Nand Dham Udyog Premises Co-op.Soc. Ltd. ... Petitioner  
versus  
Municipal Corporation of Greater Mumbai  
and Ors. ... Respondents

Mr. Karl Tamboly with Mr. Amrut Joshi, Mr. Anuj Desai i/by Mr. Pratik Amin, for  
Petitioner.  
Mrs. Sheetal Metkari with Mrs. Vandana Mahadik, for MCGM.  
Mr. Abhishek Lalji Tripathi, for Respondent No.4.

**CORAM: S.J. KATHAWALLA &  
R.I.CHAGLA, JJ.**

**DATE: 2<sup>nd</sup> MARCH, 2020**

**P.C.:**

1. The Petitioner has pressed for prayer clause (a) of the Writ Petition which is reproduced hereunder :

“(a) that this Hon’ble Court be pleased to issue a writ of mandamus or any other order or direction in the nature of a mandamus and direct Respondent Nos.1 to 3 to take the necessary and immediate action under Section 351 to 354A of the said Act and/or any other relevant provisions of the said Act or of any other law for the time being in force, as against the unauthorized constructions raised on the said property;”

2. The Corporation shall carry out inspection qua the construction alleged to

be unauthorized by the Petitioner and if the structure is found on the property of the Petitioner's Society, only in that event, the Corporation shall forthwith take action by following due process of law.

3. The Writ Petition is accordingly disposed of.

**( R.I.CHAGLA,J. )**

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