

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1362 OF 2021**

Rameshchandra Dinanath Upadhyay	]	
and 2 others.	]	Petitioners
Vs.		
State of Maharashtra and others.	]	Respondents

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Mr. Devmani Shukla a/w Mr. Rajesh Sahani, for Petitioners.
Mr. Hemant Haryan, A.G.P, for Respondent No.1-State.
Mr. R.Y. Sirsikar, for Respondents No.2 and 3-B.M.C.
Mr. Abhijeet P. Kulkarni, for Respondents No.4 and 5-S.R.A.

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**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 3rd AUGUST, 2021.

P.C.

1. Heard learned Counsel for the parties.
2. Learned Counsel for the respondents waive service.
3. Rule.
4. By consent of learned Counsel for the parties, Rule is made returnable forthwith and the petition is taken up for final hearing.

5. By this petition under Article 226 of the Constitution of India, the petitioners are seeking direction against the respondent-Municipal Corporation of Greater Mumbai to decide their representation-letter dated 18th March, 2021 (Exhibit F, Page 27) on it's own merits for carrying out repairs to their structure i.e "Chawl No.3/2, Ashok Bhuvan, Laxmi Udyog Nagar, Behind Gopala Hotel, Kanjur Marg (West), Mumbai 400 078".

6. Mr. Devmani, learned Counsel appearing on behalf of the petitioners submits that time and again, the petitioners approached the respondent-Corporation for permission but till today, the same is not considered by the Authority. Hence, the petitioners have filed the present writ petition.

7. Considering the submissions made by the learned Counsel for the petitioners and considering the fact that the issue involved in this petition is for deciding petitioners' application to carry out repairs to their structure, the petition can be disposed of with following directions;

: ORDER :

- (a) The respondent-Municipal Corporation of Greater Mumbai is directed to decide the petitioners' application dated 18th March, 2021 (Exhibit 'F' (Page 27) for carrying out repairs to their structure situate at "Chawl No.3/2, Ashok Bhuvan, Laxmi Udyog Nagar, Behind Gopala Hotel, Kanjur Marg (West), Mumbai 400 078 as early as possible, but, in any case, on or before 18th September, 2021

and communicate the decision to the petitioner in writing.

(b) Writ Petition is disposed of.

(c) No order as to costs.

8. The parties to act upon the authenticated copy of this order.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]