

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**Amk**

**WRIT PETITION NO. 1326 OF 2022  
WITH  
INTERIM APPLICATION NO. 618 OF 2022  
IN  
WRIT PETITION NO. 1326 OF 2022**

Velsons Developers & Ors.  
Vs.

.. Petitioners

Vasai Virar City Municipal Corporation & Ors. .. Respondents

Ms. Sneha Prabhu a/w. Ms. Kinnari Mehta i/b SSP Legal & Co. for the Petitioners.

Mr. A. I. Patel, Addl. Govt. Pleader for the Respondent-State.

Ms. Swati Sagwekar for the Respondent-Corporation.

**CORAM : A. A. SAYED &  
ABHAY AHUJA, JJ.  
DATE : 10<sup>th</sup> FEBRUARY, 2022.  
(Through VC)**

**P. C. :**

1. The Writ Petition is filed essentially seeking directions that the Respondent-Corporation 'consider' the Application made by the Petitioners for the grant of Occupation Certificate. The Writ Petition is filed on 29.11.2021. The Respondent-Corporation has rejected the Application for grant of the Occupation Certificate on 28.10.2021 i.e. even prior to the filing of the Petition.

2. In this circumstances, we are not inclined to entertain the Petition and to allow the Interim Application for amending the Petition to challenge the letter of rejection dated 28.10.2021. The cause of action and averments in the Petition would now be radically different. We, therefore, dispose of the Writ Petition as well as Interim Application with liberty to the Petitioners to file a fresh Writ Petition.

ARJUN  
MACHHINDRA  
KADAM

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**[ABHAY AHUJA, J.]**

**[A. A. SAYED, J.]**