

**BASAVRAJ
GURAPPA
PATIL**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1166 OF 2021**

Digitally signed by
BASAVRAJ GURAPPA
PATIL

Date: 2022.07.27
11:12:10 +0530

Veena Patil Hospitality Pvt. Ltd.

..... Petitioner

Vs.

Mumbai Grahak Panchayat & Ors.

..... Respondents

Mr. Sanjay Kher I/b. Mr. Amit A. Gharte for the Petitioner
Mr. Girish Deshpande, Chairman, Mumbai Grahak Panchayat for
Respondent No.1.
Mr. N. R. Bubna a/w. Ms. Pooja R. Singh for Respondent No.2.

**CORAM: S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : JULY 26, 2022

P.C.

1 We have heard the learned Counsel for the Petitioner.
Mr. Girish Deshpande, appears in person. He claims to be Chairman
of Respondent No.1.

2 The learned Counsel for the Petitioner submits that the show
cause notice issued by Respondent No.2 is without jurisdiction.
Respondent No.2 does not possess jurisdiction to entertain the
complaint.

3 The learned Counsel refers to the proceedings pending before
the Delhi High Court.

4 The Petitioner is only issued with the show cause notice. No

final order has been passed by Respondent No.2. The Petitioner has an opportunity to file a reply to the show cause notice and raise all possible defences available to it.

5 Needless to state that Respondent No.2 shall consider the reply filed by the Petitioner and the defences raised after hearing all the parties concerned. Respondent No.2 will have to deal with all the defences raised including that of jurisdiction.

6 Copy of the complaint pursuant to which the show cause notice is issued, is not served upon the Petitioner.

7 Respondent No.1 assures to serve a copy of the complaint filed before Respondent No.2 to the Petitioner within three days.

8 The Petitioner shall file reply to the show cause notice within 15 days from today. Thereafter Respondent No.2 shall take decision on its own merits.

9 The Writ Petition is disposed of. No costs.

(MADHAV J. JAMDAR,J.)

(S.V. GANGAPURWALA, J.)