

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12498 OF 2023

Jai Gurudev Realty Through Its Partner Umesh ...Petitioner
Dolatrai Thakker
Versus
Mira Bhayander Municipal Corporation & Ors ...Respondents

WITH
WRIT PETITION NO. 5598 OF 2023

Jai Gurudev Realty Through Its Partner Umesh ...Petitioner
Dolatrai Thakkar
Versus
Mira Bhayander Municipal Corporation Through ...Respondents
Its Commissioner & Ors

Mr Cyrus Bharucha, with Jay Zaveri, Rhea Parkash, Vinay Khatri,
i/b, Crawford Bayley & Co., for the Petitioner in both WPs.

Mr Mayuresh Lagu, for Respondent Nos. 1, 2 & 3-MBMC in
WP/12498/2023.

Mr Mayuresh Lagu, for Respondent Nos. 1 to 4-MBMC in
WP/5598/2023.

Mr Ankit Lohia, with Flavia Fernandes, i/b Ajay Basutkar, for
Respondent No. 4 in WP/12498/2023.

Mr Ankit Lohia, with Flavia Fernandes, i/b Ajay Basutkar, for
Respondent Nos. 6, 7 & 8 in WP/5598/2023.

Mr Satish Kamat, for Respondent No. 5 in WP/5598/2023.

Mrs Molina P Thakur, AGP, for the Respondent-State in both WPs.

CORAM G.S. Patel &
Kamal Khata, JJ.

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Date: 2023.10.10
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DATED: 9th October 2023

PC:-

1. The Petitions raise very seriously disputed questions of fact and, further, are principally directed against private parties. No writ can issue in such circumstances.
2. Both Petitions are dismissed but with liberty to the Petitioners to adopt or pursue appropriate civil proceedings in a Court of competent jurisdiction.
3. We say nothing in regard to any questions of limitation or on the merits. All contentions on both sides are expressly kept open.
4. No costs.

(Kamal Khata, J)

(G. S. Patel, J)