

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.494 OF 2019
IN
FIRST APPEAL NO.578 OF 2023**

Sunil Vishwanath Sannake and others	]	Applicants
Vs.		
Dattarama Atmaram Sannake	]	
(deceased) 1A. Mathura Dattaram	]	
Sannake and others	]	Respondents

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Ms. Mahima Shah a/w Shyamdhara Upadhyayi i/b Intralegal, for Applicants.

Mr. Santosh Parad, for Respondent No.2-M.C.G.M.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 25th JULY, 2023.

P.C.

1. This is an application by the applicants seeking direction to the respondents to restore municipal water supply in respect of the suit premises, *inter alia*, restraining them from mutating their names or any person claiming through them in the share certificate originally issued by the Society in the name of Pundlik Bal Sannake.

2. Heard learned Counsel for the applicants and learned Counsel for respondent No.2-M.C.G.M.

3. Learned Counsel for the applicants has only pressed prayer clause (a) seeking direction to the respondents to restore water supply, as according to the applicants, the same has been disconnected. The applicants have not specifically contended as to by whom water supply was disconnected.

4. From the reply of respondent No.2-M.C.G.M, it appears that water connection has not been disconnected by it. Corporation has granted water connection bearing connection Code No.MWF7910009 in the name of Dattaram Atmaram Sannake under section 169 of the M.M.C Act. Copy of a notice under section 279 (1) (a) of the M.M.C Act issued in the name of Dattaram Atmaram Sannake is annexed with the reply by which demand of payment of outstanding water charges has been made.

5. In that view of the matter, prayer of the applicants seeking direction to the respondents to restore water supply has no basis. The application is, therefore, rejected.

6. The application stands disposed of.

7. List the appeal under the caption “For Admission” in the week commencing from 11th September, 2023.

[PRITHVIRAJ K. CHAVAN, J.]