

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 534 OF 2023**

Ajaay Shyam Jajodia ...Petitioner
Versus
Municipal Corporation of Greater Mumbai
MCGM ...Respondent

Ms Akansha Saxena, i/b PV Dubey, for the Petitioner.
Mr YM Kanchan, with Ankita Sharma & Dhanashree Hublikar, for
Respondent No. 7.
Ms Rupali Adhate, for Respondent-MCGM.
Mr Somesh Shinde, Asst Engineer, Bldg Department, K/W Ward
present.

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

DATED: 10th October 2023

PC:-

1. There are photographs from the MCGM which are taken on record and marked 'X' for identification, showing the removal or breaking down of partition walls between the various stilt columns. These are taken on record and marked 'X1' for identification collectively with today's date. The statement on behalf of the MCGM is accepted that the partition walls between stilts have been

removed. The Assistant Engineer of the MCGM is present in Court.

2. The MCGM is required to ensure that these partition walls are not permitted to be erected again without permission and if that permission is sought and granted it must be strictly in accordance with law.

3. There is no doubt that there is much bad blood between the Petitioner on the one hand and the Chairman and Secretary and other office bearers of the 7th Respondent Society. A Writ Court is not the forum to agitate these grievances. We have no concern with these private disputes, and we will not permit the trading of allegations and counter allegations between these parties in a writ petition. We were concerned with the public law aspect and not with private disputes. Those may be agitated in any jurisdictionally competent forum.

4. In our view, there is no relief that survives. This is clear from prayer clauses a(i), a(ii) and (b) in the petition.

5. The Petition is disposed of in these terms. No order as to costs.

(Kamal Khata, J)

(G. S. Patel, J)