

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.27 OF 2023

Raju Panchdev Yadav } Petitioner

V/s.

1. The State of Maharashtra to be }
served through Government Pleader,
High Court (O.S), Mumbai. }

2. Municipal Corporation of Greater }
Mumbai. A body incorporated under the }
provisions of MMC Act having office at }
Mahapalika Bhavan, Mahapalika Marg, }
Mumbai 400 001. }

3. Amravati Panchdev Yadav }
Adults, Indian Inhabitants, heirs and }
legal representatives of late Shri. }
Panchdev gopi Yadav having their }
premises situated at Shop No. 10, }
Ganesh Manzil, Kharodi, Marve Road, }
Malwani, Malad (W), Mumbai. }

Respondents

Mr. Anand Mishra I.by Mr. A.M. Saraogi for the petitioner.

Mr. Amit Shastri-AGP for respondent no. 1.

Mrs. Vandana Mahadik for respondent no. 2.

**CORAM : SUNIL B. SHUKRE &
M.W. CHANDWANI, J.J.**

DATE : 1ST FEBRUARY 2023.

ORAL JUDGMENT. : (PER SUNIL B. SHUKRE, J)

. Heard.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel for the parties.

3. The appeal has been filed in terms of provisions made in bottleneck policy of 20.03.2017 before the Deputy Municipal Commissioner (DMC), Zone-IV, Andheri, Mumbai by the petitioner and also respondent no.3 jointly. It is the grievance of the petitioner that this appeal filed in November 2021 has not been decided by the Deputy Commissioner of Municipal Corporation.

4. Considering the fact that the appeal is pending since November 2021, it is now time for the authority to decide the issue in accordance with law.

5. In view of the above, the petition is allowed and respondent no. 2 is directed to decide the appeal in accordance with law, as expeditiously as possible and preferably within a period four weeks from the date of receipt of this Order.

6. Rule is made absolute in the above terms. The petition is disposed of. No costs.

(M.W. CHANDWANI, J)

(SUNIL B. SHUKRE, J)