

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10154 OF 2024

Dashrath Nandkumar Shinde ...Petitioner
Versus
Municipal Corporation of Greater Mumbai
(MCGM) and ors. ...Respondent

Mr Aadil Parsurampur, *a/w Ms Pragya i/by MKS Legal Associates*
for the Petitioner.

Mr Om Suryawanshi, *for the Respondent - MCGM.*

CORAM M.S. Sonak &
Kamal Khata, JJ.

DATED: 24 July 2024

PC:-

1. Leave is granted to convert this matter as filed on the Original Side. Necessary amendment to be carried out within a week from today.
2. Heard learned counsel for the parties.
3. The Petitioner has already file Civil Suit No.729 of 2022 regarding the building of which he seeks repairs. Secondly, the Petitioner had earlier instituted Writ Petition No.15268 of 2022 which was disposed of by order dated 18 April 2023.

4. The order dated 18 April 2023 records that the society of which the Petitioner is a member had resolved to going for redevelopment of the building. The Petitioner's statement that he would support the redevelopment is also recorded in this order.
5. Therefore, considering the above two circumstances, we do not wish to entertain this Petition. However, all the rights and contentions of the Petitioner are left open to be agitated in the suit which is pending adjudication.
6. The Petition is disposed of with liberty in the above terms.
7. There shall be no orders for costs.

(Kamal Khata, J)

(M.S. Sonak, J)