

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2475 OF 2019**

Gulambhai Raje Loriya since deceased ...Petitioners
through 1(a) Rehmat G Loriya & Ors
Versus
Medical Officer of Health G/South Ward Office, ...Respondents
MCGM & Ors

None for the Petitioner.
Ms Pooja Patil-Khandeparkar, AGP, for the Respondent-State.
Mr Devrat Singh, for Respondent No 4 (Income Tax Authority).

**CORAM G.S. Patel &
 Kamal Khata, JJ.**
DATED: 2nd April 2024

PC:-

1. The Petitioners and their Advocate are absent. Perhaps that is understandable. The Petition is entirely without substance.

2. The reliefs in the Petition are that certain licenses that are issued in respect of a restaurant known as “Mamuz Kitchen”, situated at Gala Nos 1, 2, 8 and 9, Vinod Mahal, Worli Market Road, Chandrakant Rane Marg, Worli, Mumbai 400 018, be declared as null and void. Then there is a prayer for the appointment for a Court Receiver as if this Writ Petition is a civil suit. The third prayer is for

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an inspection of the Galas. This is all very well but the first question is who is the Petitioner. The original Petitioner, one Gulambhai Raje Loriya suing through his constituted Attorney Imtiyaz Gulambhai Loriya, claimed that he was a bona fide tenant of a garage in the Vinod Mahal building. From paragraph 4 onwards, there is a long and wearying narrative of the history of ownership of this building. There are allegations made against various persons from the Bhagat family. Then in paragraph 7 there are allegations of unauthorised transfers of tenancies as if a tenant could be heard to complain about some other tenancy. Then there are averments disputing heirship in paragraph 9. Further, paragraph 11 now says that the Bhagat family are defaulters and have illegally obtained the shops and establishment licenses. This is followed by predictable allegations of fraud, misrepresentation, unlawful tactics and so on.

3. In paragraph 18, we are told that the 6th Respondent, one Tanuja Bhagat, apparently filed a suit in the City Civil Court in Mumbai to obtain a license and in doing so she apparently “crossed all limits”, whatever that is supposed to mean.

4. Paragraph 19 contains allegations now of forgery. The Petitioners are also aggrieved by litigation filed in the Court of Small Causes.

5. We are only at paragraph 22. By this time the Petition has roped in the Bhagats, the Brihanmumbai Municipal Corporation, the Medical Officers, and even the Income Tax Department. What

remains is the Food and Drugs Administration and that is dragged in from paragraph 25 onwards.

6. There is hardly a local authority (except the Maharashtra Housing And Area Development Authority and the Slum Rehabilitation Authority) that has been left out of this.

7. The Petition is certainly a work of fancy. But our writ jurisdiction is not the place for it and we do not believe we can entertain Petitions of this kind.

8. The Petition is rejected.

9. There will be no order as to costs.

(Kamal Khata, J)

(G. S. Patel, J)