

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 836 OF 2024
WITH
INTERIM APPLICATION (L) NO. 31389 OF 2023
IN
WRIT PETITION NO. 836 OF 2024

The South Indian Bank Ltd ...Petitioner
Versus
The Municipal Corporation of Greater Mumbai ...Respondents
& Ors

Mr Zarir Bharucha, *with Mayur Khandeparkar, Nidhi Singh, Zoheb Khatri & Brian Noronha, i/b India Law LLP, for the Petitioner.*
Ms Poonam Mittal, AGP, *for the Respondent-State.*
Mr Pratik Seksaria, Senior Advocate, *with Mrityunjay Bavai, i/b Dushyant Lilani, for Respondents Nos 4 & 5.*

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 27th February 2024

PC:-

1. The Technical Advisory Committee (“TAC”) order cannot possibly come in the way of an owner of a structure proposing a complete redevelopment of the building in accordance with law and subject to all necessary permissions, clearances and consents. If

there is a dispute as to title, that obviously will have to be adjudicated in a Civil Court of appropriate jurisdiction. Having regard to the TAC report, a copy of which is annexed to the Interim Application from page 22, we do not believe that further orders are necessary.

2. No orders in this Writ Petition will come in the way of the Petitioner applying to the Municipal Corporation of Greater Mumbai for the necessary redevelopment permissions. Those applications if made will be considered in accordance with law.

3. The Petition and the Interim Applications are disposed of in the above terms.

(Kamal Khata, J)

(G. S. Patel, J)