

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1356 OF 2024

Akbar Ali Shaikh ...Petitioner
Versus
Mumbai Municipal Corporation of Greater ...Respondent
Mumbai

Dr Abhinav Chandrachud, *with Rishikesh Soni, Ashok Purohit & Nikita Lad, i/b Ashok Purohit & Co, for the Petitioner.*
Mr Vivek Walavalkar, *i/b Sameer Bhalekar, for Respondents Nos 3 to 8.*
Mr YR Mishra, *with S Mishra & Sachinanand Singh, for Respondent No 9.*

CORAM G.S. Patel &
M.M. Sathaye, JJ.
DATED: 18th March 2024

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1. The Petitioner has raised disputes as to title of the property that is under redevelopment. There is no question of asking the Municipal Corporation of Greater Mumbai (“MCGM”) to decide the question of title. That is the substance of the representation at Exhibit ‘O’ and prayer clause (a) is that this representation to the MCGM be decided, i.e., that the MCGM should decide whether or not the Petitioner, a claimed purchaser of an 1/5th or fractional undivided right, title and interest in the property does or does not

have title. The Petitioner has filed a civil suit. There is another counter-suit filed by Respondents Nos 9 to 13 opposing the Petitioner. Self-evidently, matters of title cannot be decided by the MCGM. The Petitioner must obtain appropriate orders from a Court of competent civil jurisdiction.

2. The Petition is disposed of in these terms. There will be no order as to costs.

(M.M. Sathaye, J)

(G. S. Patel, J)