

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.743 OF 2024

Ilyas Ebrahim Mirza Alias
Mohammed Ilyas Mirza

... Petitioner.

V/s.

Brihanmumbai Mahanagar Palika
(Mumbai Municipal Corporation) & Ors.

... Respondents.

Mr. Chirag Mody a/w Mr. Chetan R. Shah, Mr. Rakesh K. Agrawal & Mr. Sandeep Nirban for the Petitioner.

Mr. Anoop Patil a/w Ms. Meena Dhuri and Ms. Ruhi Hajari i/by Ms. Komal Punjabi for the Respondent-BMC.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 6th December 2024.

P.C.:-

- 1) Heard learned counsel for the Petitioner at length.
- 2) According to us, pleadings in the Petition and arguments advanced across the bar clearly gives rise to serious disputed questions of facts, which cannot be adjudicated in writ jurisdiction under Article 226 of the Constitution of India. The Petitioner is having substantive remedy before the Civil Court for adjudication of his rights pertaining to the suit property.
- 3) We find no merits in the Petition and is accordingly dismissed in limine.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)