

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3352 OF 2024

Nilesh J Parekh

...Petitioner

Versus

Municipal Corporation of Greater Mumbai and
ors.

...Respondents

Mr Ramesh Soni a/w Mr. Rupesh M Geete i/by Satyaki law
Associates, for the Petitioner.

Ms Meena Dhuri, for the Respondent- BMC.

Ms Anupama Pawar, AGP, for the Respondent – State.

Mr Jagdish G Aradwad (Reddy), for Respondent No.2.

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

DATED: 09th July 2024

PC:-

1. Heard the learned counsel for the parties.
2. The Petitioner has certain grievances against Respondent Nos. 3 to 6 who are the developers of the project. Accordingly, the Petitioner seeks action against the said developers.
3. From the Petition, we find that the Petitioner had not bothered to make any complaint or demand for justice from the SRA which is the appropriate authority to look into such matters at the

first instance. Making a demand for justice is one of the essential pre-requisites before a writ of mandamus can be sought from this Court. On this short ground, we do not propose to entertain this Petition.

4. However, we grant liberty to the Petitioner to make necessary complaints/representations to the SRA and if such complaints/representations are indeed made, the SRA should dispose of such complaints/representations in accordance with law and by following principles of natural justice and fair play.

5. The Petition is disposed of in the above terms.

6. There should be no orders for costs.

7. All concerned parties to act upon authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)