

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 18748 OF 2024
WITH
INTERIM APPLICATION (L) NO. 22971 OF 2024
IN
WRIT PETITION (L) NO. 18748 OF 2024

Mahendra Dharamsey Paleja & Ors ...Petitioners
Versus
Municipal Corporation of Greater Mumbai & Ors ...Respondents

WITH
WRIT PETITION NO. 3295 OF 2023
WITH
INTERIM APPLICATION (L) NO. 22963 OF 2024
IN
WRIT PETITION NO. 3295 OF 2023

ASHWINI
H
GAJAKOSH
Digitally
signed by
ASHWINI
H
GAJAKOSH
Date:
2024.08.03
11:08:04
+0530

Mahendra Dharamsey Palicha L/h of ...Petitioners
Gunvantiben Dharamshi & Ors
Versus
The Municipal Corporation of Greater Mumbai ...Respondents
& Ors

Mr SQ Qureshi, *for the Petitioners in WP/3295/2023.*
Mr Ronish Mehta, *i/b Vinod Mistry & Co, for Respondents Nos. 5 to 7.*
Mr Vishwa Bhatt, *i/b Divya Shah Associates, for Respondents Nos. 8*

& 9 in both matters.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 31st July 2024

PC:-

1. Not on board. Mentioned. Taken on board.
2. Heard learned Counsel for the parties.
3. Paragraph 4 of our order dated 23rd July 2024 is substituted with the following:

“4. By accepting the above statements and directing the BMC/TAC to act accordingly, we dispose of these Petitions with a direction to BMC/TAC to hear all concerned parties and their consultants afresh and re-hear and pass fresh order within 15 days from today, i.e., or before 6th August 2024.”

4. Similarly, paragraph 5 is substituted with the following:

“5. The alternate reliefs claimed in these Petitions are not adjudicated upon and therefore, all contentions of all parties regarding such alternate reliefs are kept open.”

5. The original order dated 23rd July 2024 should now be read along with this order and with the above substituted paragraphs nos. 4 and 5.

6. Learned Counsel for the parties state that hearing is fixed before the TAC on 1st August 2024. Such hearing should proceed and not be delayed by any of the parties.

7. The praecipe for speaking to the minutes is disposed of in the above terms.

(Kamal Khata, J)

(M.S. Sonak, J)