

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 4198 OF 2024
WITH
INTERIM APPLICATION (L) NO.30293 OF 2024**

Mohammed Sharfuddin Sheikh ... Petitioner

V/s.

The Municipal Corporation of Greater
Mumbai & Ors. ... Respondents

**WITH
INTERIM APPLICATION (L) NO.30293 OF 2024
IN
WRIT PETITION NO.4198 OF 2024**

Neel Shantiniketan Co-operative Housing
Society Ltd. ... Applicant

In the matter between :

Mohammed Sheikh Sharfuddin ... Petitioner

V/s.

The Municipal Corporation of Greater
Mumbai & Ors. ... Respondents

Mr. Aditya Lele a/w Ms. Aishwarya Gaikwad for Applicant.
Ms. R.M. Hajare i/b Adv. Komal Punjabi for Respondent No.1-MCGM.
Mr. Naushad Engineer, Senior Advocate a/w Mr. Aadil Parsurampur, Mr.
Tejas Agarwal i/b IC Legal for Respondent No.3.

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

DATE : 15th October 2024.

P.C. :

1) Present Petition is heard for some time. Taking into consideration the controversy involved in the present Petition, when this Court called upon the learned counsel for the MCGM, she sought time to take instructions.

2) Record indicates that, present Petition is filed on 22nd August 2024 and a copy of the Petition is served upon the MCGM on 28th August 2024. Despite the said fact, the concerned Officers of the MCGM did not take pains to give necessary instructions to their counsel in time and it is the reason, she is unable to assist this Court in adjudicating the Petition.

3) We have come across with several cases, wherein the concerned Officers of the MCGM are not giving instructions to their standing counsel/Advocates appearing before the Court and it is the reason that, though the Court is willing to take up the Petition(s) for hearing, it is unable to do so.

4) In view of the above, we deem it appropriate to bring the said fact to the notice of the Additional Municipal Commissioner (City), who as per the instructions of the learned counsel for the MCGM, is having charge to take care of the entire litigation by or against the MCGM within the jurisdiction of this Court. We request the concerned Additional Municipal Commissioner (City) to take into consideration the aforesaid facts noted by

us and adopt appropriate remedial measures in that behalf.

5) Taking into consideration the controversy involved in the present Petition and reports submitted by the different Assistant Commissioners, we deem it appropriate to direct the Additional Municipal Commissioner (Western Region) of the MCGM, to file a detailed Reply to the Petition.

5.1) This be done on or before 21st November 2024.

6) Stand over to 22nd November 2024.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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by RAJESH
VASANT
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