

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.149 OF 2025

Drishti Hospitality Company Pvt. Ltd.& Anr. ...Petitioners

Vs

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

Mr. Manoj Agiwal, for Petitioner.

Mr.Hrushshi Narvekar with Mr. Samit Shukla, Mr. Siddharth Shah and Ms. Sayali Diwadkar i/b. TriLegal, for Respondent no.4.

Mr. Dhrupad Patil with Ms. Rutuja Bodake i/b. Smita Tondwalkar & Komal Punjabi, for Respondent Nos.1 to 3 BMC.

Mr. Vilas Yele, Sub-Engineer B&F 'D' Ward present.

CORAM: **G. S. KULKARNI &
ARIF S. DOCTOR, JJ.**

DATE: **11th JULY 2025.**

P.C.

1. We have heard learned Counsel for the parties on the backdrop of our order dated 20 June 2025 wherein we issued directions to the Municipal Corporation to take corrective measures, Mr. Patil, learned Counsel for the Municipal Corporation has placed on record a partial compliance report, which is taken on record.

2. There is a grievance of the petitioner that overhead water tank ought to have been adequately filled up and plastered from the outer side. Mr. Patil would submits that such work would be undertaken. He states that substantial compliance of unauthorized user is discontinued by such corrective action taken by the Municipal Corporation, as noted by us in the previous order.

3. The compliance report alongwith the photographs as submitted by Mr. Patil is taken on record and marked "X" for identification.

4. We may also observe that Mr. Patil has fairly stated that as such work was required to be urgently undertaken, no tenders were invited by the concerned

officials.

5. Needless to observe that a fair position is taken by respondent No.4 that whatever expenditure the Municipal Corporation had incurred and any excess amount than what has been already deposited with respondent no.2, it is ready and willing to pay such amount to the Municipal Corporation. The concerned Official of the Municipal Corporation shall do the needful if any such amount is receivable from respondent No.4.

6. In this view of the matter, further adjudication of this petition is not called for. We permit the petitioners to undertake inspection of the said works when completed. There is also a statement made by Mr. Patil that the remaining corrective work would be undertaken as expeditiously as possible within three weeks from today.

7. The petition is accordingly disposed of, keeping open all contentions of the parties on completion of the work. No costs.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)