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

WRIT PETITION NO. 3733 OF 2025

K. Mohan & Co. (Elastics) Pvt. Ltd. & Anr. ...Petitioners

Versus

Municipal Corporation for Greater Bombay & Ors. ...Respondents

Mr. Rajeev Singh i/by Mr. Dharmendra Gupta, Advocate for the
Petitioners.

Mr. Amit Yadav, Advocate for Respondent No.3.

Ms. Rupali Adhate i/by Ms. Komal Punjabi, Advocate for the
Respondent/BMC.

Mr. Sanjay Dudhate, Asst. Engineer (B & F) 'L' Ward, present.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 14th OCTOBER, 2025

P.C. :-

1. After the hearing in this matter travelled to some
length, the learned Advocate for the Corporation sought a pass-over.

2. When this matter was called out at 5:20 p.m., the
learned Advocate for the Corporation has tendered a photostat copy
of a purported correction order of the TAC report dated 11th August
2025, which is signed by the Executive Engineer (B & F) 'L' Ward
(TAC Member).

3. When this matter was heard in the first session, the learned Advocate for the Corporation had tendered a compilation of photographs along with certain documents (Page Nos.1 to 53). The said compilation (5 + 53 Pages) is collectively marked as 'X-1' for identification. A photostat copy of the communication from the Executive Engineer referred to above, is marked as 'X-2' for identification.

4. The TAC report is at Page No.39 of 'X-1' and on Page No.48, the TAC conclusion indicates as under :-

“On the basis of structural audit report submitted by both structural consultant & their submission during site visit also visual inspection carried out by TAC members, it is unanimously decided by the TAC that 1st floor of Gr.+1 upper floor bldg. Falls under C-1 category & Gr. Floor C-2A category.

Designated Officer 'L' Ward office shall take necessary action as per the prevailing policy & guidelines.”

5. Three Members of the TAC and one Deputy Chief Engineer (B.P.) E.S., Chairman of the TAC, have signed the above conclusion. By the communication 'X-2', only one Member seeks to carry out a modification in the conclusion of the TAC. The learned Advocate for the Corporation submits that 'X-2' is not a correction

order, but a communication that all the Members of the TAC will assemble to carry out a correction in the conclusions of the TAC.

6. We are surprised as how the TAC comprising of four Senior Members of the Organization can be said to have committed a mistake, when they had very categorically mentioned that the 1st Floor (1st Upper Floor) falls under C-1 Category and the Ground Floor falls under C-2A Category. In contra-distinction, 'X-2' submits that only a part of the 1st Floor will be in the C-1 Category.

7. Be that as it may, we would expect the Corporation to follow the due procedure laid down in law. If the Petitioners desire to raise any objections as regards the modification in the TAC report, at an appropriate stage, the Petitioners are permitted to raise his grievance.

8. The learned Advocate for the Petitioners submits, on instructions, that since the Corporation has now decided to re-issue the TAC report and based on the same, re-issue notice to the Petitioners, this Writ Petition may be disposed off as withdrawn, on instructions. Contentions with regard to any fresh cause of action, be kept open.

9. In view of the above, with liberty to raise all contentions, this **Writ Petition is disposed off** as withdrawn, on instructions.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)