

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

WRIT PETITION NO. 1222 OF 2024
WITH
INTERIM APPLICATION (L) NO. 30372 OF 2025

Sameera Fernandes

... Petitioner

Versus

Municipal Corporation of Greater Mumbai & Ors.

... Respondents

Mr. Dipesh Siroya for the Petitioner.

Mrs. S. V. Tondwalkar for the Respondent-BMC.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATED : 9th MARCH, 2026.

P.C. :

1. Heard learned counsel for the petitioner.
2. The petitioner has prayed for a direction to the respondent No.2 to rectify the assessment of the said premises and restore the same as a commercial premises. Learned counsel further prayed for a direction to respondent No.2 to conduct an enquiry as to how the user of the said premises came to be changed without notice and without the consent of the petitioner.
3. Our attention is invited to the representation dated 25th January, 2022 made to the Assistant Municipal Commissioner, H/W Ward, BMC, Khar (West), Mumbai. It is the complaint regarding wrong assessment of

few units/balconies etc. Considering the reliefs prayed for by the petitioner, in our opinion, it would be appropriate if the petitioner makes a comprehensive representation/complaint to respondent No.2 within a period of one week from today. On such a representation/complaint made, it shall be open for respondent No.2 to briefly hear the petitioner and any other affected person and then decide the representation in accordance with law within a period of six weeks from the date of filing of representation.

4. Keeping all the contentions open, the Writ Petition as well as the Interim Application are disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)