



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

WRIT PETITION (L) NO.11536 OF 2026

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Sahara Hospitality Limited

.. Petitioner

Vs.

Municipal Corporation of Greater Mumbai & Anr. .. Respondents

...

Mr. Chetan Kapadia, Senior Advocate with Ms. Pooja Jain,
Advocates for the Petitioner

Mr. Mohit P. Jadhav, Additional Government Pleader for
Respondent No.1-State

Mr. Pralhad Paranjpe with Ms. Oorja Dhond i/b. Ms. Komal
R. Punjabi, Advocates for Respondent No.1-Corporation.

Ms. Pratibha Patil, AA & C, K/East Ward - present

**CORAM : SHREE CHANDRASHEKHAR, CJ &
MS. AARTI A. SATHE, J.**

DATE : 8th APRIL 2026

P.C. :

Mr. Pralhad Paranjpe, the learned counsel for the respondent-Corporation has raised serious objections to the prayer seeking interim relief. It is submitted that it was detected after an inspection of the subject properties that certain illegal constructions were raised and, therefore, notices were issued. According to the learned counsel for the Corporation, a Special Notice was also issued which was not responded to by the petitioner-Company.

2. On the other hand, Mr. Chetan Kapadia, the learned senior counsel for the petitioner-Company would submit that the procedure adopted by the respondent-Corporation has seriously violated the rights of the petitioner-Company to carry on business inasmuch as

the water supply at the premises of the petitioner-Company has been disconnected and that shall amount to civil death of the petitioner-Company. The impugned demands in respect of three properties have been raised for the first time in 2026 and the respondent-Corporation has sought to recover the alleged arrears of property taxes since 2001 and that too under the caption “provisional assessment”. The learned senior counsel refers to the decision in “*Rex v. Wandsworth Justices Ex parte Read*” (1942) 1 KB 281 wherein it was held that the remedy a man who was convicted in a Court of Summary jurisdiction without giving him an opportunity of being heard was not by way of an appeal but by an application to the High Court for an order of a certiorari to quash the conviction.

3. The learned counsel for the respondent-Corporation states that on deposit of Rs.23,89,31,590/- the water connection at the premises of the petitioner-Company shall be restored.

4. Having regard to the fact that the petitioner-Company was under liquidation in the recent past and according to the learned senior counsel for the petitioner-Company it has recently come out of Corporate Insolvency Resolution Process (CIRP), we grant four weeks’ time for making a deposit of Rs.23,89,31,590/- in this Court within four weeks. On filing an undertaking by the director of the petitioner-Company that the aforementioned amount shall be deposited with the Registry of this Court within four weeks, the water connection at the premises of the petitioner-Company shall be restored forthwith. The demand notices/attachment orders *vide*, no. (i) A.A.& C/KE/Gen./KE-05/3/2025-26 dated 1st January 2026 (ii) A.A.& C/KE-05/G-2238/2025-26 dated 16th February 2026 (iii) A.A.& C/KE/05/G2254/2025-26 dated 23rd February 2026 (iv)

A.A.& C/KE/05/G2223/2025-26 dated 12th February 2026, and (v) A.A.& C/KE/05/G2253/2025-26 dated 23rd February 2026 shall remain stayed till next date of hearing.

5. Reply-affidavit shall be filed within four weeks.
6. Post this matter after six weeks.

[AARTI A. SATHE, J.]

[CHIEF JUSTICE]