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

WRIT PETITION (STAMP) NO.5089 OF 2022

Amitabh Bachchan & Anr. ...Petitioners
V/s.
The Municipal Corporation of Gr.Mumbai & Ors. ...Respondents

Mr.Pravin Samdani, Senior Counsel with Mr.Neil Mandevia, Mr.Nivit Srivastava, Ms.Sneha Patil and Mr.Jay Nagrecha i/b M/s.Maniar Srivastava Associates for the Petitioners.

Mr.Anil Sakhare, Senior Counsel with Mr.Rohan Mirpuray and Ms.Vandana Mahadik for the State – Respondent Nos.1 to 3.

Ms.Jyoti Chavan, AGP for the State – Respondent No.4.

Mr.Ajay Mahajan, S/E – M.C.G.M. present.

**CORAM : R.D. DHANUKA &
S.M. MODAK, JJ.**

DATE : 23RD FEBRUARY, 2022.

P.C. :-

1. Rule. Mr.Sakhare, learned senior counsel waives service for the respondent nos.1 to 3. Ms.Chavan, learned AGP waives service for the respondent no.4. By consent of parties, the petition is heard finally.

2. Mr.Samdani, learned senior counsel for the petitioners invited our attention to the representation dated 17th February, 2022 made by the petitioners to the Municipal Commissioner and also the

Deputy Municipal Commissioner in view of the notices both dated 20th April, 2017 issued by the office of the Deputy Municipal Commissioner raising various issues.

3. Learned senior counsel submits that the said representation can be decided by the respondent no.2 in accordance with law. Statement is accepted.

4. The petitioners are at liberty to file the additional representation, if any, within two weeks from today to the respondent nos.1 to 3. If any additional representation is made by the petitioners, the respondent no.2 to consider the representation already made and that would be made within a period of six weeks from the date of filing of the additional representation in accordance with law. If any request is made for personal hearing at the end of the petitioners or if desired to be granted by the Municipal Commissioner, the same shall be granted before passing any order. If the Municipal Commissioner proposes to grant any personal hearing, seven days clear notice shall be given to the petitioners to remain present.

5. The order that would be passed shall be communicated to the petitioners within one week from the date of passing of the order. If the order is adverse against the petitioners, the petitioners would be at liberty to file appropriate proceedings.

6. Until the representations made by the petitioners are decided, the respondent nos.1 to 3 shall not take any coercive action against the petitioners pursuant to the impugned notices and for a period of three weeks from the date of communication of the order that would be passed.

7. All the contentions of both the parties are expressly kept open. This Court has not expressed any views on the merit of the matter.

8. The writ petition is disposed of in aforesaid terms. Rule is made absolute accordingly. There shall be no order as to costs.

9. All parties to act on the authenticated copy of this order.

(S.M. MODAK, J.)

(R.D. DHANUKA, J.)