



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

WRIT PETITION (LODGING) NO. 16563 OF 2023

Ravindra D Waikar & Ors. ...Petitioners
V/s.
Brihan Mumbai Municipal Corporation ...Respondent

Mr. Aspi Chinoy, Senior Advocate a/w. Anil Sakhare, Senior Advocate i/b. Joel Carlos for the Petitioners.

Dr.Milind Sathe, Senior Advocate a/w. Vandana Mahakdik for Respondent- BMC
Mr. Uday Mahajan, Executive Engineer, K/East Ward present

**CORAM : SUNIL B. SHUKRE &
RAJESH .S. PATIL, JJ.**
DATE : 21ST JUNE, 2023.

P.C. :-

1. Learned Senior Counsel for the Petitioners seeks leave of the Court to delete the portion marked in paragraph 34 of the Memo of Petition. Leave is granted. Necessary amendment be carried out forthwith.

2. Heard. Statement made by learned Senior Counsel on behalf of the petitioners that the impugned communication dated 15th June 2023 has been received by the petitioners suddenly and it has been issued without giving any show cause notice or an opportunity of hearing to the petitioners is accepted. Dr. Sathe, learned Senior

Counsel for the respondent – Corporation states that there is record available with the Corporation showing that necessary opportunity of explaining the issue was given to the Petitioners. We are of the opinion that in case of this petition, reply of the Corporation is important but since it would take sometime, it would be in the interest of justice that the parties maintain *status quo* in respect of the impugned communication and also the subject property, till next date, we do order accordingly, til next date.

3. Stand over to 5th July, 2023.

(RAJESH S. PATIL, J.)

(SUNIL B. SHUKRE, J.)