

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

WRIT PETITION (L) NO. 7567 OF 2026

Mahesh Hathiramani & Ors.

... Petitioners

Versus

Brihanmumbai Mahanagarपालिका & Ors.

... Respondents

Dr. Abhinav Chandrachud a/w. Mr. Darshan Patankar, Mr. Yogesh Devnani and Mr. Chirag Hathiramani for the Petitioners.

Mr. Prashant Kamble, AGP for the Respondent-State.

Ms. Rutuja Bodake i/b Komal Punjabi for the Respondent-BMC.

Ms. Priya Sharma for Respondent No.3.

CORAM : M. S. KARNIK AND

S. M. MODAK, JJ.

DATED : 6th MARCH, 2026.

P.C. :

1. Learned counsel for the petitioners assures that the copy of the petition will be served upon the learned counsel appearing for respondent No.1-Corporation.

2. Learned AGP appears for respondent No.4.

3. Issue notice to respondent No.2 returnable on 15th April, 2026.

4. In addition to Court notice, private notice on Administrator Mr. Rajesh Medhe of respondent No.2 is permitted.

5. It is the submission of learned counsel for the petitioners that the petitioners who are members of the society have paid their part of the

property tax. It is because of the inaction on the part of the Administrator in recovering the property tax from the defaulting members, that the Corporation intends to proceed even against the petitioners by resorting to measures which are under challenge by way of this petition.

6. Learned counsel for the petitioners submits that there are no dues payable so far as the petitioners are concerned. It is submitted that the petitioners are three in numbers. There are 198 members in the society. 52 members are in default and that too because the Administrator has not initiated any steps for recovery of the property tax due from these members. Case for grant of ad-interim relief is made out and accordingly ad-interim is granted in terms of prayer clauses (d) & (e).

7. Leave to amend is granted.

8. Amendment to be carried out within a period of two weeks.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)