

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

**WRIT PETITION NO.724 OF 2011**

Dr.Sudhir Shantaram Chaubal & Ors. .. Petitioners  
V/s  
Municipal Corporation of Gr.Mumbai & Ors. .. Respondents

Mr.Kunal Cheema i/by Mr.Nilesh S.Parte for the petitioners.  
Ms.Priti Purandare for the Respondents.

**CORAM: D.K.DESHMUKH &  
R.G.KETKAR, JJ.**

**DATE: 28th June, 2011**

P.C:

1. Rule. Rule is made returnable forthwith and heard finally by consent of the parties. Learned counsel for both sides agreed that the facts and law involved in this petition are identical to the facts and law involved in Writ Petition No. 353 of 2011. Hence for the reasons recorded in the order passed in Writ Petition No.353 of 2011, the communication dated 29.05.2010 impugned in this petition is set aside.
2. Learned counsel appearing for the petitioners has made a statement before us that the petitioners are willing to pay additional ground rent, in case according to the policy of the Corporation the petitioners are liable to pay

additional ground rent in view of the proposed redevelopment. This statement is accepted.

3. The Assistant Commissioner (Estates) is directed to issue “No Objection Certificate” in favour of the petitioners as applied for, within a period of two weeks, subject to the aforesaid statement that is made by the petitioners with regard to payment of additional ground rent.
4. Rule is made absolute accordingly. Petition is disposed of. No order as to costs.

**(R.G.KETKAR, J.)**

**(D.K.DESHMUKH, J.)**