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Date: 2025.03.27
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.9164 OF 2025

Samarth Nagar Lokhandwala Complex
Residents Association (SLCRA)

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

Mr. Amogh Singh with Mr. Rahul Arora i/b. Mr. D.P. Singh for the
Petitioner.

Mr. Manish Upadhye, AGP for Respondent No.1.

Ms. Jyoti Mhatre with Ms. Anuja Tirmali i/b. Ms. Komal Punjabi for
the Respondent Nos.4 to 7.

CORAM : R.I. CHAGLA J.
DATE : 26TH MARCH, 2025.

ORDER :

1. By this Writ Petition, the Petitioner is impugning the
Order dated 18th October, 2024 and seeking quashing and setting
aside of the said Order.

2. The Petitioner appears to be aggrieved by the
Respondent not having provided adequate notice of the decision
making process. Further, it is submitted that opportunity was

required to be provided for producing necessary documents in support of the Petitioner's case. In view of there being violation of principles of natural justice as well as notice of hearing not being provided to the Petitioner by the Respondent – Municipal Corporation of Greater Mumbai ("MMC") the said order is impugned.

3. The learned Counsel appearing for the Respondent – MMC has referred to Notice dated 16th September, 2024, wherein notice of the scheduled hearing on 24th September, 2024 at 2.30 p.m. on which date the impugned Order was passed had been given to the Petitioner. She has relied upon the status of the service of the notice dated 16th September, 2024 by India Post. She has sought time to file Affidavit in Reply to the Writ Petition by placing the service documents on record. In view thereof, the Respondent – MMC shall file their Affidavit in Reply to the Writ Petition within a period of one week from today i.e. on or before 2nd April, 2025.

4. Place the Writ Petition for further consideration on 3rd April, 2025 on the supplementary board.

[R.I. CHAGLA J.]