



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1942 OF 2023

Prince Housing & Hospitality Pvt. Ltd.

... Petitioner

V/s.

Municipal Corporation of Gr. Mumbai & Ors.

... Respondents

Adv. Tanaya Patankar a/w Adv. Kartik Tiwari, Adv. Devang Shah i/b Mr. Lakshyavedhi Legal for Petitioner.

Adv. Ruchita D. a/w Adv. R.M. Hajare i/b Adv. Meena Dhuri for Respondent-MCGM.

Adv. Vrushali Kabre, A.G.P. for Respondent-State.

CORAM : A. S. GADKARI AND
ARIF S. DOCTOR, JJ.

DATE : 28th January 2025.

PC. :

- 1) As usual the Officers of MCGM did not comply with the Order dated 16th December 2024, *inter alia*, the Additional Municipal Commissioner has also failed to file his/her reply within stipulated period.
- 2) The Co-ordinate Bench in its Order dated 9th September 2024, in Contempt Petition No.78 of 2024, in para No.3, has observed as under:-

“3. It has become almost routine for the BMC officials not to comply with this Court’s orders. Rarely any extension is sought and parties are forced to file Contempt Petitions to secure compliance. This is yet another case of such a genre.”



3) The said observations are aptly applicable to the case in hand also. However at the profuse pleadings of the learned counsel for the Respondent-MCGM and her statement that, for condoning the delay in filing reply, the concerned Additional Municipal Commissioner will pay a cost of Rs. 25,000/- from his pocket to the High Court Law Library, Room No.39, 2nd Floor, Main Building, High Court, Bombay, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay. The said statement is accepted.

4) Subject to payment of aforesaid costs within stipulated period by the concerned Additional Municipal Commissioner, delay in filing reply is condoned.

5) The concerned Officer is permitted to file his/her reply in pursuance of Order dated 16th December 2024, in the Registry of this Court within a period of one week from the date of payment of costs to the said Library.

6) Stand over to 11th February 2025.

(ARIF S. DOCTOR, J.)

(A.S. GADKARI, J.)