

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

WRIT PETITION NO.1322 OF 2012

..
Apurva Co-operative Housing Society
Ltd. & Anr.

...Petitioners

v/s.

The Municipal Corporation of
Greater Mumbai & ors.

...Respondents

...

Mr.P.A.Savant i/b vigil Juris for the petitioners.
Ms.Sharmila Modle for respondent No.1-BMC.

...

**CORAM: MOHIT S. SHAH, C.J. &
M.S.SANKLECHA, J.****DATE : 9 May 2013****P.C.**

Learned counsel for petitioners states that, without prejudice to petitioners' rights and contentions in this petition, petitioners are ready to deposit the amount of transfer fees disputed in the present petition, only in order to ensure that petitioners are granted Occupation and Building Completion certificates, which are being withheld only on the ground of non-payment of transfer fees.

2. In the facts and circumstances of the case, we direct that upon petitioners depositing the amount of transfer fees being demanded by the Municipal Corporation, without prejudice to rights and contentions of petitioners in the present petition, the respondent-Municipal Corporation shall consider the petitioners' application for Occupation Certificate and for Building Completion Certificate, as expeditiously as possible.

3. Stand over to 10 June 2013.

CHIEF JUSTICE

(M.S.SANKLECHA, J.)