

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 1576 OF 2016**

**Ashtaliakshmi Co-op Hsg Soc Ltd & Ors**

**..Petitioners**

**Vs.**

**Municipal Corporation of Greater Mumbai & Anr**

**..Respondents**

**Mr. Sanjay Kadam a/w Mr. Sanjil Kadam a/w Ms Sayalee Rajpurkar i/b  
Kadam & Co. for the Petitioner**

**Mrs. Arti Kamble for the Respondents**

**CORAM : R. M. SAVANT, J.**

**DATE : 21<sup>st</sup> SEPTEMBER, 2016**

**P.C.**

- 1 Heard the Learned Counsel for the parties.
- 2 Rule.
- 3 Hearing expedited.
- 4 The Learned Counsel Mrs. Kamble waives notice on behalf of the Respondents.
- 5 The Learned Counsel for the Respondents states that an affidavit would be filed stating that the property in question which is lease hold, is transferred in the name of the Petitioner and the provisional NOC and the NOC for Commencement Certificate up to the plinth, has been issued by the Estate Department of the Corporation vide Letter No.AC / Estate / 10144/AE(1)/ II dated 14-7-2016. The Respondents may file the said affidavit within one week from date. In the event, the Petitioners succeeds in the Petition, then

the amount that has been deposited by the Petitioners with the Municipal Corporation of Greater Mumbai may be directed to be refunded to the Petitioners with such interest as this Court would deem appropriate at the hearing of the Petition.

**[R.M.SAVANT, J]**