

ITEM NO.27

COURT NO.2
(HEARING THROUGH VIDEO CONFERENCING)

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.3902/2019

(Arising out of impugned final judgment and order dated 28-01-2019 in AFO No.450/2018 passed by the High Court Of Judicature At Bombay)

TWINKLE WINKLE LLP

Petitioner(s)

VERSUS

MUNICIPAL CORPORATION OF GREATER MUMBAI & ORS.

Respondent(s)

Date : 08-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHATFor Petitioner(s) Mr. Udayaditya Banerjee, AOR
Mr. Amogh Singh, Adv.For Respondent(s) Ms. Asha Gopalan Nair, AOR
Ms. Nivedita Nair, Adv.
Mr. Arun Gopalan Nair, Adv.Ms. Yugandhara Pawar Jha, Adv.
Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Aaditya A. Pande, Adv.
Mr. Geo Joseph, Adv.UPON hearing the counsel the Court made the following
O R D E R

In terms of the order passed by this Court on 17.02.2020, a decision has been taken by the office of the Collector, Mumbai Subarban, on 24.08.2021. The copy of the decision is appended to the counter affidavit filed on behalf of respondent no.3 as Annexure R-7.

Mr. Udayaditya Banerjee, learned Advocate appearing for the petitioner submits that the proceedings were conducted *ex parte*, which submission is opposed by the learned counsel for the respondent.

Without going into the merits and demerits of the rival contentions of the parties, we direct that:

- a. The petitioner, if so advised, can challenge the aforesaid communication dated 24.08.2021 in accordance with law.
- b. In order to facilitate such challenge, the interim order of this Court in the instant matter shall continue to operate till 23.11.2021.

We make it clear that we have not and shall not be taken to have reflected on the merits of the rival contentions which shall be gone into independently in case any challenge to the order dated 24.08.2021 is raised.

With these observations, the Special Leave Petition stands disposed of.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER