

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

WRIT PETITION NO. 2844 OF 2014

Shri Deepak Rajpal Mehra	}	
and Ors.	}	Petitioners
versus		
Navjeevan Co-operative	}	
Housing Society and Ors.	}	Respondents

Mr. Ajinkya Jaibhave i/b. Mr. Omkar
Gopal Nagwekar for the petitioner.

Mr. Ramesh D. Chheda for respondent
no.1.

Mr. H. C. Pimple - BMC for respondent
nos. 2 to 4.

Mr. Dushyant Kumar - AGP for
respondent nos. 6 and 7.

Mr. Ram Apte - Senior Advocate with
Mr.Kayval Shah for respondent no. 8.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- OCTOBER 27, 2016

P.C. :-

1. When this writ petition was placed before us, Mr. Pimple handed in a notice issued in Form - J referable to section 6 and Rule 9(1) of the Maharashtra Fire Prevention and Life Safety Act, 2006. This notice is issued to respondent no. 1 society and refers to an inspection carried on on 3rd October, 2016 of the existing fire fighting and life safety measures installed in the premises of

the first respondent. The notice states that the deficiencies and defects noted are indeed serious and need to be rectified. The notice grants 60 days to the society to carry out the corrective measures.

2. Once such a notice is issued, we are neither concerned with the petitioner's version nor of the society, which may be contradictory and conflicting with regard to installation of fire fighting or what are styled as fire prevention and life safety measures. Let the competent authority, namely, the Mumbai Fire Brigade be satisfied with the compliance made with the Act and the Rules. It is entirely for the Mumbai Fire Brigade to call upon the office bearers to furnish such materials as are permissible in law. It shall carry out further inspection if the society claims that it has complied with the notice. We do not think that the petition can be entertained by us once the Act is enacted by the competent legislature and enables all the authorities thereunder, including the Mumbai Fire Brigade to take requisite steps and measures.

3. The writ petition is, therefore, disposed of leaving open all remedies to parties to act in terms of this notice and the enactment in place. A copy of this notice is taken on record and marked as 'X' for identification.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)