

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2862 OF 2015

Yasmin E.Tavaria	.. Petitioner
Vs.	
The Executive Engineer, Mumbai Building Repairs and Reconstruction Board and ors.	.. Respondents

Yasmin E.Tavaria - petitioner is present.
Mr.D.D.Madon, Senior Advocate a/w Ms.S.I. Joshi, Ms.Nikita Pawar i/b S.I. Joshi & Co., for the Petitioner.
Mr.V.P. Sawant, for Respondent No.1.
Mr.H.H. Mansukhani, for Respondent No.2.
Mr.U.S.Upadhyay, AGP for Respondent No.3.
Mr.Dilip D.Garje, Executive Engineer, 'A' Division, MHADA present.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 02nd SEPTEMBER, 2016**

P.C. :

- . Parties through their Counsel.
2. The Director of respondent No.2 – Mr.K.H.Thakur is present in-person. On instructions from him, learned Counsel for respondent No.2 submits that in pursuance to the earlier directions issued by this Court from time to time, instead of MHADA doing the repair work, respondent No.2 undertakes to

repair the building in question and respondent No.2 will not recover the proportionate cost from the petitioner, but he will get the cost of repair recovered from the other tenants if permissible. We record the said statement made by the learned Counsel for respondent No.2 on instructions of Mr.K.H.Thakur who is present in Court in person.

3. In view of this offer being made, we absolve respondent – MHADA from the earlier directions given by us in our earlier orders. We also record the statement made on behalf of respondent No.2 that respondent No. 2 will undertake to get prepared estimate within 10 weeks from today and thereafter immediately start repair work which will be completed within a period of 18 months from the date of receipt of estimate.

4. By recording the aforesaid statements as agreed to learned Counsel for the parties, we dispose of the Petition.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)