

(Chs (L) 51 of 2017 a/w.
WP 2223 of 2016)

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

CHAMBER SUMMONS (L) No. 51 OF 2017
IN
WRIT PETITION No. 2223 OF 2016

Mr. Shafiq Ahmed Zahid AhmedApplicant

In the matter between

Gufran Suleman QureshiPetitioner
Vs.

Mumbai Building Repair and
Reconstruction Board and Ors.Respondents

WRIT PETITION NO. 2223 OF 2016

Gufran Suleman QureshiPetitioner
Vs.

Mumbai Building Repair and
Reconstruction Board and Ors.Respondents

Mr. Ramesh Dubey Patil i/b. Manoj Harit & Co. for the Petitioner
Mr. V.P. Sawant for Respondent Nos. 1 and 2 -MHADA
Mr. Rupesh Lanjekar for Applicant in CHSWL/ 51 /2017
Mr. Amit Shastri -AGP for Respondent Nos. 3 and 5.

**CORAM : V.M. KANADE &
C.V. BHADANG, JJ**

DATE : APRIL 04, 2017

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P.C. :

1. The learned counsel for the Applicant submits that the Applicant has expired and therefore, Chamber Summons has become infructuous.

2. Hence, Chamber Summons is disposed of since it has become infructuous.

3. It is the case of the Petitioner that he is the owner of the said building and he would like to redevelop the same. Some complaint was filed by one of the tenants to the MHADA stating that the Petitioner has forged the signature. An order was passed by one of the officers of the MHADA that an enquiry should be made in respect of the said complaint. The Complainant has expired.

4. We have seen the report of the MHADA, which in terms, states that the condition of the building is very bad and same is likely to collapse at any time. We are, therefore, of the view that

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the MHADA Authorities should take a decision in one way or the other, on merits and in accordance with law and also decide the application of the Petitioner in respect of the NOC to be granted to the Petitioner permitting him to redevelop the said building under the provisions of DCR 33 (7) within four weeks from today. The writ petition is accordingly disposed of.

[C.V. BHADANG, J.]

[V.M. KANADE, J.]

Vaishali Tikan