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

WRIT PETITION LODGING NO. 3251 OF 2016

Sahara Co-operative Housing Society (Prop)
and ors.

.. Petitioners

Vs.

Mumbai Municipal Corporation and ors.

.. Respondents

Mr. V. A. Thorat, Sr. Advocate a/w Mr. P. J. Thorat for petitioners.

Ms. Pallavi Thakar for MCGM.

Ms. Jyoti Jadhav, AGP for State.

Mr. P. G. Lad for MHADA.

Mr. Rishikesh Soni a/w Mr. Ashok Purohit & Co. for respondent no.2/SRA.

Mr. Y. K. Tiwari i/by K. P. Tiwari and Co. for applicants-intervenors.

CORAM: NARESH H. PATIL &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

APRIL 18, 2017.

P.C.

1. Learned Senior Counsel appearing for the petitioners submits that the order of status quo be clarified so that SRA and MHADA could implement the scheme. Therefore, it is requested to clarify that SRA and MHADA be permitted to take necessary steps in implementing the scheme.

2. Learned counsel appearing for the SRA and MHADA

submitted that they would take necessary steps in accordance with law for implementing the scheme.

3. Learned counsel appearing for the interveners submitted that he has no objection to implement the scheme, but he requested that permission be granted to apply for electricity connection to the tenements which are occupied by the interveners in the subject premises.

4. We clarify that, (a) the SRA and MHADA are entitled to proceed to take necessary steps in accordance with law for implementing scheme in the subject area and (b) the interveners, whose names are mentioned in Annexure-II to the scheme, are entitled to apply for getting temporary electricity connection.

5. The learned AGP submits that Police Bandobast is still maintained at the spot consequent to the order passed by this Court earlier. We direct the DCP of the concerned Zone to review the situation and take appropriate decision in respect of the maintenance of the Police Bandobast.

6. In view of the above, petition stands disposed of.

7. It is clarified that we have not expressed any opinion in respect of possession of the subject property by individuals rights and liabilities of the parties and the merits of the scheme to be implemented.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(NARESH H. PATIL,J.)