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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1921 OF 2018

Saifee Burhani Upliftment Trust & Ors. ..Petitioners.
V/s.
Maharashtra Housing and Area
Development Authority & Ors. ..Respondents.

Mr.Virag Tulzapurkar, Senior Advocate with Ms.Sowmya Srikrishna, Mr.Denzil Arambhan, Mr.Nanki Grewal Shlok Bolar, Ms. Yogini Borade i/b. M/s.Wadia Ghandy & Co. for the petitioners.

Mr.A.S.Khandeparkar i/b.Ms.Kalpana Kunhere for respondent No.4.

Mr.P.G.Lad with Ms.Aparna Muralidharan and Ms.Sayli Apte for respondent Nos.1 & 2 – MHADA.

CORAM: SHANTANU KEMKAR AND
NITIN W.SAMBRE, JJ.

DATE : JUNE 15, 2018

P.C.:-

The learned counsel appearing for respondent Nos.3 and 4 submits that respondent No.3 has expired long back. In view of the aforesaid statement, the learned senior counsel for the petitioner seeks leave to amend the cause title of the petition so as to delete the name of third respondent. Necessary amendment be

carried out forthwith.

2. With the consent of the counsel for the parties heard and finally disposed of.

3. A statement is made on behalf by learned counsel for respondent No.4 on instructions from respondent No.4 and also by respondent No.4 that in case the building in question collapses or any mishaps occurs, respondent No.4 alone shall be responsible for the same and this responsibility will extend to all claims from not only the occupants of the building but also third party claims the members of the public. This statement is accepted as an undertaking.

4. We also observe that respondent Nos.1 and 2 shall take necessary steps to take the notice dated March 17, 2018 issued by it to respondent No.4 to its logical end as expeditiously as possible.

5. With the aforesaid directions, the petition stands disposed of.

(NITIN W.SAMBRE, J.) ***(SHANTANU KEMKAR, J.)***