

pmw

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

**NOTICE OF MOTION NO.19 OF 2015
IN
WRIT PETITION NO.2403 OF 2012**

Mr. Chandra Belly and Anr.	... Applicants
In the matter of	
The Tadeshwar Wadi Co-op. Hsg. Society Ltd.	... Petitioner
Vs.	
The State of Maharashtra and Ors.	... Respondents

Ms. Uma K. Wagle for the Applicants.

Ms. Geeta Joglekar for the Respondent – BMC.

Ms. Jyoti Chavan, AGP for Respondent – State.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 2nd MAY, 2018

PC.

1 Perused the prayers made in the Notice of Motion. The main Writ Petition has been disposed of by the judgment and order dated 8th February 2013. The applicants are seeking substantive directions in this Notice of Motion. Perusal of the judgment dated 8th February 2013 shows that no directions have been issued by this Court while disposing of the Petition against the ninth respondent.

2 The applicants are relying upon the assurances/undertakings in one of the affidavits filed by Respondent No.9. If that be so, the applicants will have to file appropriate substantive proceedings for enforcing against their rights or for enforcing the assurances. Suffice it to say that the reliefs which are prayed for in this Notice of Motion cannot be granted in a disposed of Writ Petition. Accordingly, Notice of Motion is disposed of. However, we grant liberty to the applicants to take out appropriate proceedings in accordance with law.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)