

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 2029/2021

Prashant Rama Suvarna & Ors. Petitioners

Vs.

Maha RERA & Ors. Respondents

Mr. Amrut Joshi I/b. Nilam Shinde for the Petitioners
Mr. Ashutosh M. Kulkarni a/w. Mr. Akshay A. Kulkarni for
the Respondent No.1.
Ms. Ritika Agarwal a/w. Rajshree Mukherjee I/b. Acelegal
for Respondent No.2.

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

**DATED : JULY 1, 2021
(VIDEO CONFERENCING)**

P.C.

1 Heard. By this petition under Article 226 of the Constitution of India, the Petitioner is seeking direction against Respondent No.1 Maha RERA to hear their complaint along with Interim Application, as early as possible.

2 The learned counsel for the Petitioner submits that the Petitioner had filed in all 13 complaints which are as under:

Cause Title	Complaint No.	Complaint filing date
Pramod Suvarna	CC006000000193465	14 th July 2020
Chirag Thakur Mrs. Yamini Ghirag Thakur	CC006000000193487	15 th July 2020
Naveen Kayakkal Mrs. Ramya Naveen	CC006000000193496	15 th July 2020
Anurag Shanker	CC006000000193501	16 th July 2020
Vishal Desale Mrs. Madhumati Vishal Desale	CC006000000193503	15 th July 2020
Rahul Kanchan	CC006000000193507	16 th July 2020
Praveen Karkera Mrs. Saroja Praveen Karkera	CC006000000193514	17 th July 2020
Bharat Patil Mrs. Kirti Bharat Patil	CC006000000193519	17 th July 2020
Sachin Poojary Mrs. Sujata S. Poojary	CC006000000193527	17 th July 2020
Joseph Rockey	CC006000000193535	18 th July 2020
Sanjay Kumar Bagel Mrs. Manju Vishwa Kumar Baghel	CC006000000193542	20 th July 2020
Aaradhy Chaudhary Mrs. Rekha Singh	CC006000000193674	6 th August 2020
Sandeep Tramak Aher	CC00600000019370	6 th August 2020

3 The learned counsel for the Petitioner submits that the Petitioner, time and again, made an Application for early hearing by their Applications dated 27.08.2020, 02.09.2020, 07.09.2020 and 19.10.2020. He submits that in spite of several Applications for early hearing the Respondent No.1 has not granted any circulation. Hence, the Writ Petition.

4 The learned counsel for the Petitioners further made a statement before this court that the Respondent has granted circulation of a matter which was filed subsequent to the Petitioner's complaint. In support of this contention, he relies on Email dated 02.03.2021, Exhibit-F, page 170 to the petition.

5 The learned counsel for the Petitioners submits that in the interest of justice, this Hon'ble Court be pleased to direct Respondent No.1 to hear the Petitioners' Application for interim relief as early as possible, as they are suffering because of the negligence on the part of the Builder/Developer.

6 We heard both sides at length. It is to be noted that, in the present proceedings, the Petitioners filed their complaint in the month of July 2020. Considering the present COVID-19 situation and as Respondent No.1 is functioning through video conference, we do not find any reason to entertain such type of petition to direct Respondent No.1 to decide the application made by the Petitioner, immediately, but in any case, considering the urgency in the matter, we permit the Advocate for the Petitioner to make an appropriate Application before Respondent No.1 explaining their urgency and if such Application is made, Respondent No.1 to consider the same on its own merits.

8 In view of the above mentioned discussion, the following order is passed:

a. The Writ Petition stands rejected with liberty as stated hereinabove.

b. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)