

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

WRIT PETITION NO.455 OF 2022

Dreams the Mall Commercial Premises

Welfare Association & Ors.

....Petitioners

V/S

Municipal Corporation of Greater Mumbai & Ors.

....Respondents

...

Mr. J. S. Kini i/b Adv.Shweta K.Jain i/b Sapna Krishnappa for the
Petitioners.

Mr.Rahul Sinha i/b DSK Legal for Respondent No.2-MSEDCL.

Mr.Rajesh S.Patil a/w Ms. Oorja Dhond for Respondent-MCGM.

Mr. S. B. Gore, AGP for the Respondent-State.

Mr. Deepak Thakre – Administrator of Petitioner-Dreams the Mall present in
Court.

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CORAM : A.A. SAYED &

ABHAY AHUJA, JJ.

DATED : 25 MARCH 2022

P.C.:

Learned Counsel for the Petitioners submits that the members of
Petitioner-Association who were occupying shops in 'Dream Mall' are facing
great hardship after a fire engulfed the Mall on 25-03-2021, which damaged
the structure of the Mall and the livelihood of about 1000 shop owners and
5000 of their employees is affected. The learned Counsel states on
instructions that he is only pressing that the representation of the Petitioner-
Association dated 18-10-2021 (Exhibit-Z to the Petition) be decided
expeditiously.

2. In the facts and circumstances of the case, we accede to the request of the learned Counsel and direct that the representation of the Petitioner-Association be decided expeditiously and in any event within four weeks from today. We make it clear that though the representation is addressed to the Municipal Commissioner, it would be open for the Municipal Commissioner to nominate a high-ranking officer to decide the representation, particularly since the grievance of the Petitioners in the representation concerns various departments of the Respondent-Corporation.

3. Learned Counsel, Mr. Deepak Thakre, who has been appointed as Administrator of the Mall has handed over a copy of the Application for temporary electricity connection for the purpose of installing CCTV in the Mall to the learned Counsel for Respondent No.-2-MSEDCL. We direct that the said Application shall be considered sympathetically and decided within two weeks from today.

4. We also permit the learned Administrator to make an Application for temporary water connection to the concerned department of the Respondent-Corporation, which shall be considered sympathetically and decided within 10 days from the receipt of such Application.

5. The Petition is **disposed of** in the aforesaid terms. Since the NCLT is in seisin of the matter, we make it clear that we have not gone into the merits of the matter and all issues are kept open.

6. List the Petition on 2 May 2022 for reporting compliance.

(ABHAY AHUJA,J.)

(A.A.SAYED, J.)