

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 721 OF 2024
WITH
INTERIM APPLICATION NO. 13863 OF 2024

Mr. Jaimin Shailesh Shroff

... Appellant/
Applicant

Versus

Mr. Sukesh Arvind Shastri and Ors.

...Respondents

Mr. Manojkumar Upadhyay a/w Abhishek Upadhyay for the Appellant.
Mr. M. Bhindora i/b B.K. Gala for Respondent No.3.
Ms. Sumandevi Yadav for Respondent Nos. 1 to 7.
Mr. Santosh Parad for Respondent No.8/BMC.

CORAM : M.M. SATHAYE, J.
DATE : 26th NOVEMBER 2024

P.C. :

1. This matter was urgently moved in view of notice dated 25.11.2024 issued by Respondent Corporation for disconnection of water supply, electricity and gas connection on 26.11.2024 i.e. today. Learned counsel for the Respondent Municipal Corporation submitted on instructions from the concerned officer, that electricity and water connection to the subject matter structure is already disconnected today.

2. Learned counsel for the Appellant placed on record a letter dated 24.11.2024 issued by Respondent No. 9 Developer to the occupants and submitted that the said letter clearly indicates that a joint measurement was already scheduled for tomorrow i.e. 27.11.2024 at 10.00 a.m. and even then, the water and electricity supply has been disconnected.

3. Learned counsel for the Appellant and learned counsel for the Respondent Nos. 1 to 7 (occupants/tenants of subject matter structure) however undertake on instructions from their clients that tomorrow they would co-operate with the measurement scheduled by Respondent No.1 Developer.

4. In the aforesaid circumstances, in order to afford an opportunity to the occupants/tenants to co-operate with the measurement and take the development forward, let the measurement be carried out tomorrow at 10.00 a.m. as proposed.

5. Stand over to 27.11.2024, tomorrow at 2.30 p.m. for further hearing.

(M.M. SATHAYE, J.)