



Pradnya

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1821 OF 2024

Eversmile Association of Allotees ...Petitioner
Versus
The State of Maharashtra and ors. ...Respondents

Mr. Amogh Singh, *a/w Mr. Rahul Arora a/w Mr. Akash Gupta, i/b.*
Mr. Jeet Gandhi for the Petitioner.
Ms. Sheetal Malvankar, AGP, *for the Respondent-State.*
Ms. S. Tondwalkar, *for the Respondent-BMC.*

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 3rd July 2024

PC:-

1. Heard learned counsel for the parties.
2. Mr. Amogh Singh, learned counsel for the Petitioner states that all the Respondents have been duly served.
3. Mr. Singh submits that Respondent Nos.3 and 4 have carried out illegal constructions and despite the Petitioner's complaint dated 30th July 2022 to the BMC, no action is taken by the BMC.
4. Accordingly, we direct the BMC to consider and dispose of the Petitioner's complaint dated 30th July 2022 on its own merits

and in accordance with law as expeditiously as possible and in any case on or before 28th August 2024. The BMC must hear the Petitioner and Respondent Nos.3 and 4 and pass a reasoned order. This order must be communicated to the parties by 28th August 2024.

5. All contentions of all parties are left open because such complaints are required to be first addressed by the BMC.

6. If any of the parties are aggrieved by the BMC's decision, they are at liberty to challenge the same in accordance with law.

7. With the above directions, this Writ Petition is disposed of. There shall be no orders as to costs.

8. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)