



Darshan Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 634 OF 2024

Sureshkumar S. Soni and Ors. ...Petitioners
Versus
Maharashtra Housing and Area Development ...Respondents
Authority and Ors.

Mr Dhrumil C Shah, for the Petitioners.
Mr P G Lad, a/w Ms Shreya Shah for the Respondent-MHADA.
Mr Prathamesh Deshpande, for Respondent No.6.
Mr R M Hajare, for Respondent No.5-BMC.
Mr Sudhakar Chavan, AE (B & F) M/West - Present.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 25th June 2024

PC:-

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioners states that all the respondents have duly served in this petition and even the affidavit of service is filed to that effect.
3. We grant leave to file the said affidavit in the Registry.
4. The petitioners' complaint is that the owner/developer has breached the terms of the NOC subject to which the development

was permitted. The petitioners have, therefore, made a complaint *inter alia* with MHADA on 10th March 2023 (Exhibit 'L' at pages 157 to 169 of the paperbook). Learned counsel for the petitioners points out that based on the petitioners' complaint even MHADA by communication dated 29th May 2023 called upon the owner/developer to furnish documents and take appropriate action regarding the balance payment of rent arrears failing which suitable action would be initiated. This letter is at Exhibit 'M' page 170 of the paperbook.

5. Learned counsel for the petitioners now says that after the issuance of the above communication dated 29th May 2023, MHADA has not taken any further action in the matter.

6. Considering the documents placed before us, we direct MHADA to dispose of the petitioners' complaint dated 10th March 2023 in accordance with law as expeditiously as possible and in any event within 4 weeks from today i.e. on or before 23rd July 2024.

7. MHADA must hear the petitioners and owner/ developer and pass a reasoned order. This order must be communicated to the parties on or before 23rd July 2024.

8. With the above direction, we dispose of this petition.

9. There shall be no orders as to the costs.

10. All concerned to act on the authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)