

Wadhwa

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 778 OF 2024**

Sunjay M Ghalla & Anr

...Petitioners

Versus

The Chief Officer, Mumbai Building Repair And
Reconstruction Board & Ors

...Respondents

**Mr JK Shah, with Rahul Gupta, Mohit Darji i/b RJ Law, for the
Petitioner.**

Mr Saket Mone, i/b Vidhi Partners, for Respondents Nos. 4 to 7.

**Mr Piyush Raheja, with Rubin Vakil, Sanmish Gala i/b Markand
Gandhi & Co, for Respondents No. 8 to 11.**

**Mr Rajiv Narula, i/b Jhangiani Narula & Associates, for the New
Developer.**

Mr Shubham Gurav, i/b Talekar & Associates, for MHADA.

**CORAM G.S. Patel &
 Kamal Khata, JJ.
DATED: 21st March 2024**

PC:-

1. We direct the Petitioners to implead Poonam High Rise Pvt Ltd, the new developer represented by Mr Narula, which is tentatively proposing a substitute development agreement with the property owners, Respondents Nos 8 to 11. Poonam High Rise will be represented by M/s Jhangiani Narula and Associates. Service may be effected on the Advocates directly.

2. There are other tenants of this building called Madhu Villa at Matunga. Two of these, one Maniar and one Vijay Somani are unrelated to the family of Respondents Nos 8 to 11. There are other tenants who are family members of Respondents Nos 8 to 11. These additional tenants will also have to be joined if not as necessary then at least as proper parties.

3. Amendment to be carried out during the course of the day without need of reverification. Copies of the amended Petition will need to be served by hand delivery on all the newly added Respondents. Mr Shah assures that no reliefs are proposed to be sought against the newly added Respondents.

4. Mr Raheja for the owners, Mr Shah for the Petitioners and Mr Narula, all request time to take more specific instructions.

5. List the matter on 3rd April 2024.

6. Previous orders, if any, to continue until the next date

(Kamal Khata, J)

(G. S. Patel, J)