

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.2420 OF 2024****Dinesh Khimji Sampat & Ors.****...Petitioners***Versus***Brihanmumbai Mahanagarpalika & Ors.****...Respondents**

Ms. Kavita Arvind Shah, for Petitioners.**Mr. Darius Shroff, Senior Advocate, with Mr. Shanay Shah, i/b. Mr. Rahul P. Jain, for Respondents No.4 to 8.**

**CORAM: K. R. SHRIRAM &
DR. NEELA GOKHALE, JJ.
DATED: 9th May 2024****PC:-**

1. We granted circulation on 6th May 2024 for today in view of the statements made in the praecipe dated 6th May 2024 and what was submitted by Ms. Shah while applying for circulation.

2. Mr. Shroff for Respondents No.4 to 8 states that there is a dispute between Petitioner and Respondents No.4 to 8. At the same time, Mr. Shroff states that though his clients do not dispute the fact that notice has been issued under Section 354 of the Mumbai Municipal Corporation Act, 1888, the building has been declared dilapidated and dangerous under C1 category, water and electricity supply has been disconnected and tenants and occupants have vacated the building, still there is no eminent danger to any person or property. Mr. Shroff states the building belongs to the trust and,

therefore, the trust may take steps to cordon off the building in case the trust is of the view that it might endanger life and property.

3. In view of this statement made by Mr. Shroff, stand over to 14th June 2024.

4. Respondents shall file reply and serve a copy thereof upon Petitioner by 31st May 2024. Rejoinder, if any, to be filed and copy served by 11th June 2024.

(DR. NEELA GOKHALE, J.)

(K. R. SHRIRAM, J.)

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