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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2794 OF 2024**

Vrindavan Cooperative Housing Society Ltd ...Petitioner

Versus

Municipal Corporation of Greater Mumbai & ...Respondents
Ors

Mr Gauraj Shah, *i/b Sneha Nagaonkar, for the Petitioner.*

Mr Rohan Kelkar, *i/b Dastur Kalambi & Associates, for the
Respondent.*

Ms Sujata Puri, *for the Respondent-BMC.*

CORAM. M.S. Sonak &
 Kamal Khata, JJ

DATED. 23rd August 2024

PC:-

1. Heard learned counsel for the parties.
2. The Petitioner, by making a representation dated 27 April 2021 to the BMC has alleged several violations of the DCR in respect of the rehab wing of the Petitioner Society.
3. The record shows that the BMC on 29 October 2021 and on 2 February 2022 has forwarded the Petitioner's representation to the 3rd Respondent herein and requested the 3rd Respondent to

submit clarifications on the points raised in the said representations.

4. Learned counsel for the 3rd Respondent was not able to say with certainty whether such clarifications have been furnished to the BMC. However, he submits that if such clarifications have not already been furnished, the same would be furnished to the BMC within three weeks from today, i.e., on or before 13 September 2024.

5. Upon receipt of such clarifications or if such clarifications are not filed by the 3rd Respondent on or before 13 September 2024, we direct the BMC to dispose of Petitioner's representation dated 27 April 2021 as expeditiously as possible and in any event on or before 11 October 2024. Before disposing of the representation, the BMC should hear the representatives of the Petitioner and the 3rd Respondent and pass a speaking order on the various issues raised by the Petitioner in their representation dated 27 April 2021. Such reasoned decision must be communicated to both the parties on or before 11 October 2024.

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

7. Since we have not examined any of the rival contentions, we clarify that all contentions of all parties are left open and could be decided by the BMC in the first instance.

8. This Petition is disposed of by issuing the above directions and without costs order.

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

(Kamal Khata, J)

(M.S. Sonak, J)