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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3079 OF 2024

Geetanjali Cooperative Housing Society Ltd & ...Petitioners
Anr

Versus

The State of Maharashtra & Ors ...Respondents

**Dr Milind Sathe, Senior Advocate, with Bhushan Deshmukh, Ms
Nikita H Vardhan & Bhoomika Shah, i/b Kanga & Co, for the
Petitioner.**

**Mr Dipesh Siroya, AGP, for the Respondent-State.
Ms Priyanka Sonawane, i/b SK Sonawane, for BMC.**

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

DATED: 25th July 2024

PC:-

1. Heard learned counsel for the parties.
2. Mr Sathe, learned Senior Advocate for the Petitioner submits that the Petitioners have been discriminated in the matter of computation of premium for grant of staircase lift lobby free of Floor Space Index ("FSI"). He submits that the Petitioners have made not less than three representations dated 20th April 2023, 24th May 2023, 9th November 2023 and 23rd April 2024 to the BMC, but now these representations have even been responded to. He pointed out that along with the representations the Petitioners

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have cited instances where the BMC itself has computed the premium in a particular manner but is now insisting on computing the premium in the Petitioners case in same other way.

3. At this stage, it is not possible for us to go into the various allegations made in the Petition. However, we can dispose of this Petition by granting the Petitioner alternate relief as prayed for in prayer clause (c) of the Petition.

4. Accordingly, we direct the BMC to dispose of the Petitioners above referred representations in accordance with law and on their own merits as expeditiously as possible and in any case within eight weeks from today, i.e., on or before 19th September 2024. The BMC should hear the Petitioner and pass a speaking order which should be communicated within eight weeks to the Petitioners.

5. In case the Petitioners are aggrieved by the speaking order, Petitioners have liberty to challenge the same in accordance with law.

6. With the above directions this Petition is disposed of without costs.

7. All concerned to act on authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)