

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3448 OF 2024
WITH
INTERIM APPLICATION (L) NO. 21173 OF 2024
IN
WRIT PETITION NO. 3448 OF 2024

Sunita Suresh Nandoskar

...Petitioner

Versus

The State of Maharashtra & Ors

...Respondents

Mr Omar Khaiyam Shaikh, with Ansari Shahzad, for the Petitioner.
Ms Vaishali Choudhari, Addl GP, with Ms Gaurangi Patil, AGP, for
the Respondent-State.

Mr Akshay Shinde, for the Respondent-MHADA.

Mr Saurabh Utangle, for Respondent No. 3.

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

DATED: 19th July 2024

PC:-

1. At the request of Mr Utangle, learned counsel for the 3rd Respondent, we post this matter on 26 July 2024.

2. The learned counsel for the Petitioner states that one group of tenants concerning the same redevelopment had petitioned this

Court vide Writ Petition No. 746 of 2023 and 1088 of 2023. Their Petitions were disposed of by order dated 2 November 2023.

3. The learned counsel for the Petitioner submits that in this Petition, the Petitioner seeks a similar order as was made in the above two Writ Petitions. He submits that the grievances of the present Petitioner can be sorted out by making a similar order.

4. The learned counsel for the developer seeks a week's time to obtain instructions. The learned counsel must also obtain instructions on whether the transit rents payable have fallen in arrears. If so, he must seek instructions regarding payments. The developer is expected to pay at least the admitted arrears, if any, before the next date.

5. List the matter on 26 July 2024. We make it clear that we will not entertain any request for adjournment on behalf of the developer, particularly since the Petitioner complains of non-payment of transit rent.

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6. The learned counsel for the Applicant submits that the Applicants in this Interim Application may be permitted to join as Petitioners in Writ Petition (L) No. 15089 of 2024. He states that the grievance of these Applicants is common with the Petitioners.

7. The learned counsel states that he appears for the Petitioners in the Writ Petition and will appear on behalf of the Applicants in this Interim Application. Accordingly, leave is granted to implead the Applicants in this Interim Application as Petitioners in Writ Petition (L) No. 15089 of 2024. The necessary amendment is to be carried out forthwith. Re-verification is dispensed with.

8. Interim Application is disposed of in the above terms.

(Kamal Khata, J)

(M.S. Sonak, J)