

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3477 OF 2024

Ashraj Developers Pvt Ltd Thr Auth Rep Jash ...Petitioner
Ashesh Shah

Versus

Municipal Corporation of Greater Mumbai ...Respondent

Mr Mayur Khandeparkar, with Kevin Perera i/b Gaurav Lele, for
the Petitioner.

Mr Vikram Walwalkar, i/b Amey C Sawant, for Respondents Nos.
7, 8, 9, 12, 15, 16 and 17.

Ms Pooja Yadav, i/b Sunil Sonawane, for the Respondent-BMC.

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

DATED: 12th September 2024

PC:-

1. Heard learned counsel for the parties.
2. Learned counsel for some of the tenants who are Respondents in this Petition produces on record approval dated 10 September 2024 for undertaking repairs to the building which has been classified by the TAC as C-2A. On instructions, he says that repair works will commence immediately.

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3. Mr Khandeparkar points out that portion of the balcony has already collapsed. Considering this, we direct the Respondents/tenants to file an affidavit indicating the timeline within which these works will be completed. Such affidavit should be filed and served on or before 19 September 2024. Further, we record that such of the tenants who are staying in this building should do so at their own risk as to the consequences. Under no circumstances they should hold either landlord or any statutory authority responsible for any untoward mishap.

4. List this matter on 24 September 2024.

(Kamal Khata, J)

(M.S. Sonak, J)