

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 656 OF 2024

WITH

SCNW NO.12 OF 2024

Mohamed Riyaz Shaikh

.....Petitioner

Vs.

The Chief Officer, Mumbai
Building Repairs & Construction Board

.....Respondent

WITH

WRIT PETITION NO. 1137 OF 2024

Ismail A. Petiwala

.....Petitioner

Vs.

Maharashtra Housing And Area
Development Authority

.....Respondent

WITH

WRIT PETITION NO. 2168 OF 2024

WITH

CONTEMPT PETITION (L) NO.17723 OF 2024

Abdeali Kanchwalla

.....Petitioner

Vs.

The Chief Officer, Mumbai
Building Repairs & Construction Board

.....Respondent

WITH

WRIT PETITION NO. 2835 OF 2024

Khan Babar Muzeeb

.....Petitioner

Vs.

The Chief Officer, Mumbai
Building Repairs & Construction Board

.....Respondent

WITH

WRIT PETITION NO. 3684 OF 2024

Zoeb Ahmendali Bootwala

.....Petitioner

Vs.

The Chief Officer, Mumbai
Building Repairs & Construction Board

.....Respondent

WITH

WRIT PETITION (L) NO. 34500 OF 2023

Mirza Asgarali Ali Ha Hasan

.....Petitioner

Vs.

Municipal Commisioner

.....Respondent

WITH

WRIT PETITION (L) NO. 36010 OF 2023

WITH

INTERIM APPLICATION (L) NO.24474 OF 2024

Azmatullah Azizullah Shaikh

.....Petitioner

Vs.

Municipal Corporation of
Greater Mumbai

.....Respondent

Adv. Asim Naphade a/w Adv. Shabbir Jariwala and Adv. Sakshi Jain i/by Jariwala Associates for the Petitioners in WP Nos.656 of 2024, 2168 of 2024, 2835 of 2024 and 3684 of 2024.

Mr. Ashok R. Pande a/w Shobhit Shukla for the Petitioners in WP No.1137 of 2024.

Mr. Mujahid Mulla for the Petitioners in WPL Nos.36010 of 2023 and 34500 of 2023.

Mr. Ashish Kamat, Senior Advocate a/w Ativ Patel, Adv. Viloma Shah, Adv. Viraj Raiyani i/by M/s. AVP Partners for the Respondents in show cause Noticeee Nos.1 and 2.

Mr. Hashim Kathawala, for show cause noticee No.2.

Mr. Zubar Kathawala for Show cause noticee No.1 present in person.

Mr. Anil Sakhare, Senior Advocate a/w. Adv. Abdul Bari Ansari for the Respondent No.4.

Ms. K.H. Mastakar i/by Adv. Komal Punjabi for the BMC.

Dr. Uday Warunjikar a/w Adv. Jenish Jain for the MHADA in WP No.2168 of 2024.

Adv. Sayli Apte, a/w Adv. Anjali Maskar i/by Adv. P.G. Lad for the Respondent Nos.1, 2 and 3 -MHADA in WP No.656 of 2024.

Smt. Jyoti Chavan, Addl. GP for the Respondent-State in WP No.656 of 2024.

Mr. Akshay Patkar, AGP, for the Respondent-State in WP No.2168 of 2024.

Adv. Lavina Kriplani, AGP for the Respondent-State in WP No.2835 of 2024.

Mr. Mohit Jadhav, Addl. G.P. for the Respondent-State in WP No.3684 of 2024.

**CORAM : A. S. GADKARI AND
P. S. KHUBALKAR, JJ.
DATE : 25th OCTOBER, 2024.**

P.C.:-

1) Mr. Sakhare, learned senior counsel appearing for the Respondent No.4 tendered across the bar a draft chart showing summary of scheduled of payment to be made to the Petitioners-tenants.

- 2) Learned counsel for the Petitioners in Writ Petition (L) Nos.36010 of 2023 and 34500 of 2023 has some reservations about the quantum of rent being paid by the Respondent No.4.
- 3) We grant liberty to the Advocate appearing for the said Petitioners to point out discrepancies and/or deficiencies in the quantum of payment which the said Petitioners are entitled for, to the Advocate for the Respondent No.4.
- 4) At the request of learned Advocate appearing for the Petitioners, stand over to 21st November, 2024.

(P S. KHUBALKAR, J.)

(A.S. GADKARI, J.)