

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.783 OF 2025**

Sai Kutir Co-op Housing Soc. Through its Chief Promoter & Anr	...Petitioners
Versus	
The Navi Mumbai Municipal Corporation & Ors.	...Respondents

Mr. Mayur Khandeparkar a/w Ms Swati Sawant i/b S. K. Legal Associates LLP
for Petitioner.

Mr. Tejesh Dande for Respondent Nos.1 & 2.

Mr. Y. S. Jahagirdar, Senior Advocate a/w Mr. Jeetendra Sachdev and Mr.
Abubakar Patel i/b J S Legal for Respondent No.3.

Mr. Suresh M Sabrad and Mr. Amey Sawant and Mr. Pratik Sabrad for
Respondent Nos.4 & 5.

**CORAM : G.S. KULKARNI &
ARIF S. DOCTOR, JJ.**

DATE : 30th JUNE, 2025.

P.C:

1 List this petition on **3rd July 2025** to enable the Municipal Corporation to place on record an additional affidavit in regard to the contention of the petitioner that there is no separate stair case / access to the nursing home premises of respondent nos.4 and 5. Let an affidavit be also placed on record on behalf of respondent nos.4 and 5 to point out that there is a separate access and more particularly in terms of the requirement of Regulation 4.3(5) of the UDCPR 2020. Respondent nos.4 and 5 would also incorporate an undertaking that they shall restrict the operation of the nursing home strictly in terms of

what has been provided for in the said Regulation that is confining the nursing home to beds not exceeding 20, as also an undertaking that the notices issued to respondent nos.4 and 5 by the Municipal Corporation under Section 53(1) of the MRTP Act in regard to the alleged unauthorised alterations, shall be complied and the premises shall be restored complying with such notices except for the permissible internal alterations. The affidavit should contain an undertaking that the nursing home shall not be functional unless an appropriate registration for the nursing home is granted by the Municipal Corporation.

2 We also record a statement made by Mr. Sabrad learned counsel for respondent nos.4 and 5 that as on date his clients are not functioning as a nursing home and the activity is only of OPD / consultation. Statement is accepted.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]