

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6626 OF 2025**

Avinash Raghunath Gokhare & Ors

...Petitioners

Versus

Kalyan Dombivali Municipal Corporation & Ors

...Respondents

Mr. Gauvesh Khandalkar for Petitioners.

Mr. Sandeep Shinde for Respondent Nos.1 to 6.

Mr. Chetan Agrawal for Respondent Nos.7 to 11.

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

DATE : 16th JULY, 2025.

P.C:

1 We have heard the learned counsel for the parties for sometime.

2 Mr. Agrawal, learned counsel for the landlords-Respondent Nos.7 to 11, has taken a fair position. On instructions of his clients, who are present in court, he submits that the proposal for redevelopment of the building in question would be considered and for which already a project management consultant has been approached.

3 Let an appropriate decision in this regard be taken and informed to the Court on the adjourned date of hearing.

4 Needless to observe that whatever development would be undertaken and any alternate accommodation which would be provided to the petitioners, who are the tenants, such rehabilitation would be subject to the declaration of

the rights of the tenants, who have instituted the declaratory suit. We do not intend to delve on this issue, suffice it to observe that a reasonable and proper approach is required to be taken, as litigation is not going to benefit both the parties and the fruits of development can be immediately available if an appropriate decision is taken to redevelop the premises.

5 Stand over to **30th July 2025**. Ad-interim orders passed shall continue to operate including the directions of this court that the occupants shall continue to occupy the premises at their own risk.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]