

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 651 OF 2025

Goregaon Siddharth Nagar Sahakari Griha Nirman
Samstja Ltd. ...Petitioner

Versus

Maharashtra Housing and Area Development
Authority & Ors. ...Respondents

AND

INTERIM APPLICATION (L) NO.14364 OF 2025

Mr. Samir A. Vaidya with Ms. Zainab Khan, Ms. Jagruti Mestry, for for Petitioner.

Ms. Manisha Jagtap, for MHADA.

Ms. Anupama Pawar, AGP for State.

Mr. Mahesh Londhe with N.M. Gawade i/b. Sanjay Udeshi & Co., for Respondent
No.11 in WP 1193 of 2024

Mr. Piyush Deshpande, for Society.

Ms. Manjiri Parasnis with Shrushti Kale, for Petitioner in WP 1193/24, WPL
690/25, WP 2904/19.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 14 October 2025

P.C.

1. Not on board taken on board on a praecipe as moved on behalf of the
petitioner.

2. In the present proceedings this Court has passed a detailed order on the
earlier occasion. An urgent application is moved today by Mr. Vaidya, learned
Counsel appearing for the tenants, stating that there was a mishap as the plaster of

the “F” building’s top floor had collapsed between 10.30 a.m. to 11 a.m. yesterday i.e. on 13 October 2025. The photographs of the same are also placed on record to contend that the incident is a serious incident which would require structural stability of the entire construction and more particularly, in view of the earlier event which had taken place of collapse in ‘C’ building in the month of April 2025.

3. Mr. Londhe, learned Counsel for the contractor M/s. Relcon Infraprojects Ltd. would also not dispute that it is a matter of serious concern. He states that such incident has never happened in any of the projects of his clients and according to him, in the last 45 years. He states that immediate steps would be taken to identify the causes as also to undertake inspection of all the buildings, so that the construction is certified to be safe and habitable. Ms. Jagtap, learned Counsel for MHADA has also placed on record a letter dated 14 October 2025 addressed by Mr.Vihar Bodke, Executive Engineer, Goregaon Division/Mumbai Board, to the contractor M/s. Relcon Infraprojects Ltd. pointing out several complaints received about the incident and media report of collapse of plaster in one of the wings of the project calling upon the contractor to submit a report as also a mandatory third party audit to be undertaken.

4. The contents of the said letter are required to be noted which read thus:

“No.EE/GD/MB/DE-I/ 938/2025

Date: 14/10/25

To,
M/s. Relcon Infraprojects Ltd.,
4th floor, Relcon House Premises CSL,
15/A Mahatma Gandhi Road,
Vile Parle (East), Mumbai - 400057

Subject: Survey, Planning, Designing, Building Construction, Structural Restoration, Obtaining all relevant Permissions, Amendments and Required Completion/ Occupancy Certificate from concerned Local Authority on Lump-sum Turnkey basis for Construction of Balance work of Rehab Portionat Sector R-9 of Siddhartha Nagar Patra Chawl Redevelopment Project on CTS No. 260/7A of Village Pahadi Goregaon, Goregaon (W), Mumbai. - - **Submission of Preliminary Report and Directives for Third-Party Audit.**

Reference: Several Complaints & Media Reports regarding collapse of external plaster in one of the Wing of the Subject Work.

With reference to the above, it has been brought to the urgent notice of this Office that a serious incident occurred on October 13, 2025, wherein a portion of the external plaster of the 11th floor of one of the wings collapsed. Such an incident is a matter of grave concern as it raises serious questions regarding the quality of workmanship, supervision, and the materials used in the construction.

The safety of the residents and the structural integrity of the buildings are of paramount importance to MHADA. An incident of this nature not only poses a significant risk to life and property but also reflects poorly on the standards of the project and brings disrepute to our organization. We anticipate that this news may attract adverse media attention and cause significant distress and backlash from the tenants.

In view of the gravity of the situation, you are hereby directed to take the following actions with immediate effect:

A. Submission of Preliminary Report: You are required to conduct an immediate preliminary investigation and submit a detailed report to this office no later than 4:00 PM on October 16, 2025. The report must, at a minimum, include the following:

- 1) Exact identification of the wing and the location of the collapse.
- 2) Approximate time of the incident
- 3) The total area (m²) of the plaster that has collapsed.
- 4) Photographic evidence of the site
- 5) Immediate remedial and safety measures undertaken at the site to prevent further incidents and secure the area.
- 6) A prima facie assessment of the cause of the failure.
- 7) Details of the execution of the plastering work, including the date of completion, specifications of the mortar mix used, and details of the executing agency/sub-contractor, if any.

B. Mandatory Third-Party Audit: To ensure an impartial and thorough technical assessment of the quality of work across the entire project, you are directed to appoint a reputed and independent third-party firm finalised by this office for a comprehensive audit of the external plastering work and any other items as finalised in the Terms of Rreferences approved by this Office for all 16 wings at your own risk and cost.

The chosen firm must have proven expertise in material testing and building diagnostics. The final report submitted by the third-party

auditor must be vetted by a recognised technical institution of national importance, such as the Indian Institute of echnology (IIT) Bombay or Veermata Jijabai Technological Institute (VIII), or an equivalent institution approved by this Office. Please be informed that the detailed Terms of Reference (TOR) for this Third-Party Audit will be finalized and formally issued by this Office only after the receipt and satisfactory review of your preliminary incident report.

This matter must be treated with the utmost urgency. Failure to comply with these directives within the stipulated timelines will be viewed seriously and may result in stringent action as per the terms of our contract.

We expect your full and immediate cooperation in this critical matter.

Yours faithfully,

(Vihar Bodke)

Executive Engineer
Goregaon Division/Mumbai Board

Copy to:

- 1) CE-II/A for information
- 2) Dy.CE, SPA for information
- 3) DE-I, Goregaon Division for information & necessary action"

5. Considering the nature of the grievance as placed before the Court at today's hearing, we made a query to the learned Counsel for the MHADA of a need to undertake a third party audit. Such audit is now being ordered by the MHADA by appointing an expert of Veermata Jijabai Technological Institute (V.J.T.I.) who would audit all the buildings so that all the buildings can be inspected for appropriate certification. Moreover, there were directions already issued in the present proceedings on the earlier occasions on such issues.

6. We are also informed that there is a mishap of the lift in 'L' wing which also needs to be examined and appropriate steps are required to be taken not only in regard to the said lift but also in respect of all the lifts in the other buildings.

7. It is only after a third party audit report is available further appropriate orders can be passed on the habitation of the flats/tenements of buildings in question and subject matter of the project. Let MHADA as also the Contractor take expeditious steps in this regard so that further orders can be passed. We accordingly adjourn the proceedings to **19 November 2025. HOB.** All the compliances be placed before the Court on the adjourned date of hearing.

8. We clarify that the earlier orders are not disturbed and the joint examination of the construction, if already not completed, shall be undertaken and completed as ordered.

9. Needless to observe that the contractor – M/s.Relcon Infraprojects Ltd. in no manner would obstruct in undertaking the inspection as also further appropriate work.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)