

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 79 OF 2024

Sunil A. Furtado

.. Petitioner

Versus

**Maharashtra Housing and
Area Development Authority
(MHADA) & Ors.**

.. Respondents

Mr. Mayur Sapkale for petitioner.

Mr. Akshay Shinde for respondent no.1-MHADA.

Ms. Chaitalee Deochake i/by Komal Punjabi for respondent no.2-BMC.

Mr. Aseem Naphade a/w Sarjeel Kadam, Nitisha Lad i/by Kadam & Co. for respondent no.5.

**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: 23rd APRIL, 2025

Digitally signed
by PRAVIN
DASHARATH
PANDIT
Date:
2025.04.23
19:28:07
+0530

P.C.:

1. In this writ petition, which has been filed as Public Interest Litigation, the petitioner, *inter alia*, seeks a direction to the respondents to comply with the Regulation 27 of the Development Control and Promotion Regulations, 2034 in Pant Nagar, Ghatkopar and to provide for open space admeasuring 25% of total land in CTS No.5740 (pt), final plot No. 352 of TPS III, Ghatkopar, Pant Nagar layout of MHADA consisting of building No. 139 to 151, admeasuring total area about 20,506 sq.mts.

2. Paragraph 10 of this PIL reads as under:

“10. The Petitioner is the authorized signatory on behalf of the Petitioner i.e. Janahit Association in Civil Writ Petition (Stamp) No. 30590 of 2022 filed against the abovementioned Respondents alongwith other Respondents touching the same subject matter and the same relief. Apart from the above-mentioned writ petition which is file by the Janahit Association and the Petitioner is the secretary and has filed the said Writ Petition in capacity of Authorized Signatory of the said Association and further no other P.I.L. or any other writ petition is being filed in any court or supreme court of India.”

3. Thus, it is evident that the petitioner has already filed a writ petition in relation to same subject matter and seeking the same relief. Filing of this PIL is nothing but an abuse of process of law. It is made clear that this Court has not expressed any opinion on merits of the matter as the same is required to be gone into in the writ petition which has been filed by the petitioner.

4. Accordingly, the PIL is dismissed.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)