

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 955 OF 2025**

Sarojini H Jinturkar & Ors.

...Petitioners

Versus

The Mumbai Building Repairs &
Reconstruction Board & Ors

...Respondents

Mr. Sanjay Maji a/w Bijal Gandhi i/b D. M. Legal Associates for Petitioners.
Ms Rupali Adhate i/b Ms Komal Punjabi & Ms Rutuja Bodke for BMC.
Mr. Sandesh Patil, Sub. Engineer (B & F Department) F/N Ward.

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

DATE : 25th JULY, 2025.

P.C:

1 Though the Petitioners have sought various reliefs in the captioned
Petition, today Mr. Maji, learned Counsel appearing on behalf of the Petitioners
submits that the Petitioners are confining their reliefs to only prayer clause (b)
of the Petition which reads thus:

“B. This Hon'ble Court may be please to issue Writ of Mandamus or
any other Writ in the nature of Mandamus, Orders and directions
ordering and directing Respondent No. 1 and its Officers to forthwith
take action on the Complaint/Representation dated 28th June 2024
submitted by the Petitioners being Exhibit “Q” hereto and thereupon
order and direct Respondent No. 4 and its office bearers and authorized
Representative being Respondent No. 5 to give benefits to all the
tenants after the implementation of DCPR 2034;”

2 Respondent No.1 though served, is today not represented. Given the
formal nature of the prayer that is sought for and the fact that no prejudice

would be caused to Respondent No.1, if the same is granted, since it is the statutory duty of Respondent No. 1 to hear and decide complaints, we dispose of the Petition by passing the following order:

Order

- i. Respondent No.1 is directed to hear and decide the complaint/representation dated 28th June 2024 within a period of 8 weeks from the date on which a copy of this Order is placed before Respondent No. 1.
 - ii. We clarify that we have not expressed any opinion on the merits of the said complaint / representation.
 - iii. We further clarify that we have, other than directing Respondent No.1 to decide the said complaint / representation, not granted any relief in terms of prayer clause (b).
- 3 Petition disposed of in the aforesaid terms.
4. No costs.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]