

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

WRIT PETITION NO.934 OF 2025

Bharat Kishormal Shah Vs. State of Maharashtra through Office of the Government Pleader, Mumbai and others	]]]]	Petitioner Respondents
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Ms. Yasmin Bhansali a/w Ms. Tina Surela i/b Yasmin Bhansali and Co., for Petitioner.

Ms. Sheetal Malvankar, A.G.P, for Respondent No.1 – State.

Ms. Aparna Kalathi i/b Mr. P.G. Lad, for Respondents No.2 to 5.

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

DATE : 30th JUNE, 2025.

P.C:

1. Not on board. Taken on board on a praecipe being moved on behalf of the Petitioner.
2. Let reply affidavits be filed within one week from today.
3. Till the adjourned date, ad-interim order, if any granted earlier, shall continue to operate.

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HALKUDE

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4. Although, notice under Section 354 of the Mumbai Municipal Corporation Act, 1888 was not issued in so far as the Petitioner's structure is concerned, however, as the MHADA has formed an opinion that the building is in dilapidated condition, till we hear the rival contentions on such aspect of matter, we observe that the Petitioner and the occupants of the building shall continue to occupy the building at their own risk and consequences and in the event of any untoward incident of a collapse, the Petitioner and the occupants shall not hold any of the Respondents or any other Authorities responsible of any criminal or civil liability, as also the occupants shall also be responsible and liable to any third parties.

5. This order shall be brought to the notice of the occupants by the Petitioner as also by the Authorities.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]