

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6507 OF 2026

Navdurga Mahila Mandal Indira Nagar Co-op. Housing
Society

... Petitioner

Versus

Maharashtra Housing and Area Development Authority
& Ors.

... Respondents

Mr. Vijay R. Garad for the Petitioner.

Mrs. Manisha Jagtap for the Respondent-MHADA.

Mr. Pramod Vora a/w. Mr. Chaitanya Chavan and Mr. Smit Shah for
Respondent No.4.

CORAM : **M. S. KARNIK AND**
S. M. MODAK, JJ.

DATED : **7th MAY, 2026.**

P.C. :

1. Not on board. Mentioned. Taken on board.
2. Heard learned counsel for the petitioner.
3. We have perused the Minutes of the Order dated 24th February, 2026 on the basis of which this petition came to be disposed of vide Order dated 24th February, 2026. Paragraph Nos.6 (d), 6(e) and 6(f) of the Minutes of the Order read thus:-

“d. Until the temple structure is constructed and to comply with the Order dated 22.01.2026 passed by Respondent No.2, the Petitioner agrees and undertakes to shift its present deity and other religious material within a period of 7 days from today at a place admeasuring about 200 sq.ft as mutually agreed between the

parties and the petitioner will handover quite, vacant and absolute possession of the Petitioner's structure to the Applicant, failing which the Petitioner shall face eviction action.

e. The Applicant agrees to provide all the necessary logistical support to the Petitioner for undertaking the shifting of the petitioner present deity to the temporary structure which is being Provided at the place as mentioned above above to the Petitioner by the Applicant to keep the deity. However, all the rituals regarding establishing the deity shall be undertaken by the Applicant.

f. Upon vacating and demolition of the surrounding present slum structure and getting the possession over surrounding place to the applicant for construction of the new temple, the Applicant shall start the construction work of the temple structure within 30 days or such reasonable period the Applicant will take for procuring all the necessary permissions/sanction approval from the concerned Authority.”

4. Learned counsel for respondent No.4-developer placed on record the photographs of temporary structure which is being provided by respondent No.4 to the petitioner's deity. The photographs of the temporary structure constructed by respondent No.4, in terms of the Minutes of the Order, where deity will be kept, is marked 'X' for identification. Learned counsel for respondent No.4 on instructions further submitted that the Minutes of the Order will be duly abided by and construction of new temple in terms of clause (f) above shall be started within a period of 30 days.

5. We therefore do not see any reason to grant relief to the petitioner in a challenge to the notice issued by MHADA which is impugned in this petition. However, we grant the petitioner a period of two weeks to enable him to complete the process of shifting the deity in compliance of the Order passed by this Court. If within a period of two weeks from today, the deity is not shifted, it will be open for respondent No.4 to shift the deity with all due care and caution and thereafter proceed with the compliance of the Order passed by this Court.

6. The petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)