

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

SATISH
RAMCHANDRA
SANGAR

WRIT PETITION NO.2685 OF 2026

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SATISH RAMCHANDRA
SANGAR

Date: 2026.06.15
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Jyotin Chhafalal Gandhi and Ors.

...Petitioners

V/s.

The Deputy Chief Engineer, Zone – II,
The Bombay Repair & Reconstruction
Board and Ors.

...Respondents

Mr.Yatin R. Shah a/w Ms.Harsha Y. Shah, Advocates for Petitioners.
Mr.P.G.Lad a/w Ms.Sayali Apte, Advocates for Respondents–MHADA.
Mr.Vishal Thadani, Addl.G.P., for Respondents–State.

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 15th JUNE 2026

P. C. :-

1. Heard learned counsel for the Petitioners.
2. The Petitioners are challenging the notice issued by the MHADA for vacating the building which according to the Petitioners is totally in sound condition and it is not notified by the BMC or MHADA in the list published for “*dilapidated buildings*”.
3. Learned counsel Shri.Lad for MHADA submits that the issue as

regards the interpretation of Section 79(A) of the Maharashtra Housing and Area Development Act, 1976 (“**MHAD Act**”, for short) which will have a direct bearing on the present controversy is pending adjudication before the Hon’ble Supreme Court.

4. In such view of the matter, the present Petition can be disposed of by directing MHADA to give 3 weeks’ notice to the Petitioners in case they want to take any action for eviction or for demolition of the building.

5. It is made clear that we have not expressed any opinion on any of the contentions raised in the present Petition. All the contentions raised in this Petition are open for the Petitioners to be raised in case any adverse action is initiated against the Petitioners.

6. The Petition is accordingly disposed of with the aforesaid liberty.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)