

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

WRIT PETITION LODGING NO.213 OF 2019

**Juhu Prabhat Co-operative Housing Society
Ltd. (D.N.Nagar) and anr. `**

: Petitioners.

versus

**Maharashtra Housing and Area Development
Authority and ors.**

: Respondents.

Mr. Rakesh Kumar a/w Ms. Kajal Tallapalli and Ms. Diksha Tripathi i/by
Legal Vision for the Petitioners.

Mr. V P Sawant for the Respondent Nos.1, 2 and 3.

Ms. Maindad for the Respondent Nos.4 and 5.

Mr. Dharmesh Jain a/w Ms. Roshni Naik Respondent No.6.

Ms. P H Kantharia, GP a/w Ms. Deepali Patankar AGP for the Respondent
No.8/State.

**CORAM : NARESH H. PATIL, C.J. &
N. M. JAMDAR, J.**

DATE : 6 FEBRUARY 2019

P.C.

1 The learned counsel for the Respondent No.6 has produced
copy of the order in CP (IB) - 4190/I&BP/2018. He makes a statement that
Resolution Professional (RP) has been appointed.

2 Issue notice to the Respondents returnable on 13 February
2019.

3 Mr. V P Sawant the learned counsel appearing for the Respondent Nos.1, 2 and 3 waives notice on behalf of the said Respondents. The learned counsel Ms. Maindad appearing for the Respondent Nos.4 and 5 waives notice on behalf of the said Respondents. The learned counsel Mr. Dharmesh Jain appearing for the Respondent No.6 waives notice on behalf of the said Respondent. The learned Government Pleader Ms. P H Kantharia appearing for the Respondent No.8/State waives notice on behalf of the Respondent No.8.

4 The learned counsel for the Petitioner seeks ad-interim relief against the Maharashtra Housing & Area Development Authority and Slum Rehabilitation Authority to the effect that they shall not allow any development in the area which is part of original plot admeasuring 990.09 sq.mtrs. allotted to the Petitioner society in the year 1989. The learned counsel for the Respondent Nos.1 to 3 seeks to take instructions whether any such development is being carried out at present and to intimate the respective Respondents accordingly.

4a. Petitioners are allowed to amend the Petition by adding Resolution Professional as party to the Petition as per order dated 18.12.2018 in CP (IB-4190/I&BP/MB/2018 and are also allowed to correct the address of Respondent No.6.

5 Stand over to 13 February 2019.

N. M. JAMDAR, J.

CHIEF JUSTICE