

jsn

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

WRIT PETITION (L) NO.10401 OF 2025

Vera P D'Souza & Ors

...Petitioners

Versus

State of Maharashtra and Ors.

...Respondents

Mr. Vineet Naik, Senior Advocate, Mr. Amogh Singh, Mr. Santosh Pathak, Mr. Chirag Thakkar and Mr. Kailash for the Petitioners.

Mr. Jaymala Ostwal, Addl. G.P. for Respondent Nos.1 and 2.

Mr. Ashish Kamat, Senior Advocate with Mr. Dhiraj Gole i/b. Mr. C.N. Gole, for the Respondent No.4.

Mr. Shashikant Surana i/b. Mr. Madhur Surana for Respondent No.5.

CORAM : R.I. CHAGLA J.

DATE : 7TH APRIL, 2025.

ORDER :

1. Mr. Vineet Naik, the learned Senior Counsel for the Petitioners has moved the Writ Petition on the ground of urgency in that a notice has been issued by City Survey Officer, Andheri for hearing today at 1.00 p.m.. This is pursuant to the impugned Order sanctioning hearing to be held by City Survey Officer for review of the Mutation Entry No.882, 883 and 884, mutating the Petitioners

names.

2. Mr. Ashish Kamat, the learned Senior Counsel appearing for the Respondent No.4 – Society has sought to rely upon a compilation of documents which have been tendered.

3. The Respondent No.4 – Society is permitted to file an Affidavit in Reply to the present Writ Petition including placing reliance upon documents which have been tendered, within a period of one week from today.

4. Considering that the City Survey Officer by the notice dated 25th March, 2025 has called for the hearing today at 1.00 p.m. and that the Advocate for the Petitioners are present before this Court, the hearing shall be deferred by the City Survey Officer, Andheri to tomorrow at 1.00 p.m.

5. The rights and contentions of the Petitioners in the present Writ Petition are kept open and may be raised before the City Survey Officer, Andheri at the said hearing.

6. Liberty is granted to the Petitioners in the event of any adverse order passed by the City Survey Officer, Andheri to move before this Court in the present Writ Petition.

7. The rights and contentions of Respondent No.4 – Society including the maintainability of the Writ Petition are kept open.

8. The Writ Petition shall be placed on 22nd April, 2025 on the supplementary board.

[R.I. CHAGLA J.]