

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

WRIT PETITION NO. 1747 OF 2026

Shaikhbhai Chawl Committee,
Proposed Society/Ad-Hoc
Committee Tenants/Occupants
Of Shaikhbhai Bldg. And Ors.

...Petitioners

Vs.

The Chief Officer,
M.B.R and R. Board
and Ors.

...Respondents

Adv. Rajesh Kachare a/w Adv. Viraj Jadhav i/by Adv. Samisha Rao -
Advocate for the Petitioners

Adv. Anjali Ghuge - for the Respondent Nos. 4 and 5-BMC/MCGM

Mr. Siddharth Chandrashekhar – For Respondent Nos. 1-3-MHADA

Adv. Saakshat Relekar a/w Adv. Kevin Pereira – For Respondent No. 6.

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

DATE : 17th APRIL 2026

P. C. :-

1. Heard learned counsel for the Petitioners.
2. The grievance of the Petitioners is that the landowner has failed to submit any proposal for development of the subject building, which has already been demolished and acquired for road widening.

3. Accordingly, the proposal dated 14.01.2025 was filed by the Petitioner-Committee with 51% consent to the MHADA under Section 79(A) of the Maharashtra Housing and Area Development Act, 1976. It is grievance of the Petitioners that as landowner has not submitted any proposal, the proposal submitted by the Petitioners, who are representing 51% of the tenants needs to be considered.

4. The learned counsel for the MHADA seeks two weeks' time to take instructions as to within what time such proposal can be considered and if not, the reasons therefor.

5. List the petition on **05th May 2026**.

6. We are not expressing any opinion on the merits of the rival contentions. It is open for MHADA to process the proposal made by the Petitioner in accordance with law.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)