

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION (L) NO. 12157 OF 2025

Javed Yunus Ansari ...Petitioner  
Versus  
State Of Maharashtra & Ors. ...Respondents

Mr. Aadil Parsurampuriah a/w Yash Dhakad i/b Pratik K. Shah for Petitioner.

Mr. Milind More, Addl. G. P. a/w Mr. Himanshu Takke, AGP for Respondent Nos. 1 to 11-State.

Mr. Ashvin Sakhalkar a/w Ms. Meena Dhuri i/b Ms. Komal Punjabi for Respondent No. 2, 9 and 10-BMC.

Mr. Yugandhar Marathe, Asstt. Eng. B & F Dept. B Ward, present.

Ms. Pooja Joshi Deshpande a/w Ex. Engineer Nitin Dongre, 132 Ward a/w Mr. Madhavi Dolas, Ass. Legal Advosor for Respondent Nos. 3 to 8.

CORAM: G. S. KULKARNI &  
ARIF S. DOCTOR, JJ.

DATE: 16<sup>th</sup> JUNE 2025

P.C.

1. Stand over to 17<sup>th</sup> June, 2025 at 3.00 p.m.
2. In the meantime, considering the contention as urged on behalf of the Petitioner that the building is in a dilapidated condition, which is more than hundred years old and as the tenants are not ready and willing to vacate the building who intend to continue to occupy their respective tenements, we order that they shall do so at their own risk and consequences, without holding the Respondents-i.e. MHADA., the Municipal Corporation, as also the Petitioner or any other authorities or third party in any manner responsible for any civil or

criminal liability. We also clarify that the occupants shall also be responsible in respect of all civil and criminal liabilities, in event of any untoward incident of a collapse to third parties.

3. We also direct the Municipal Corporation as also the MHADA to take all necessary precautions in the vicinity of the building so that innocent persons or passers-by are not adversely affected in the event of any untoward incident of a collapse.

4. In the meantime, we would direct the Petitioner as also the tenants to take an appropriate view of the matter in regard to the redevelopment of the premises and inform the Court of their respective stands.

5. Parties to act upon an authenticated copy of this order.

6. Advocate for the MHADA as also the Municipal Corporation shall inform this order to their respective officers for appropriate steps to be taken as ordered hereinabove.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)