

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

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WRIT PETITION NO. 3371 OF 2022

Clifford Theodore Dsouza and ors. ... Petitioners
Versus
The State of Maharashtra and ors. Respondents

Mr. Kaustubh Kandpile i/b Deven Dewarkadas & Partners, for the
Petitioners.
Mr. P.G. Lad a/w Ms.Sayali Apte, for Respondents No. 2 & 3.
Ms.Vaishali Ugale, for Respondent-BMC.
Mr. Diraj Chavan, for the Respondents No. 12 to 14.
Ms.Anupamaa Pawar, AGP (through V.C.), for Respondent – State.

**CORAM : M.S.KARNIK &
SHYAM C. CHANDAK, JJ.**

DATE : 25th MARCH 2026

P.C. :

1. It is the grievance of the petitioners that the premises are handed over in 2012. The possession of the reconstructed unit has not been handed over to the petitioners. It is the submission that the OC has not yet been received, as one of the floors has been constructed without due authorization. Respondents no. 6 to 11 had appeared on one occasion but thereafter, failed to appear. We find this to be sufficient service. However, only to give an

opportunity to respondents no. 6 to 11 to appear and respond, we are adjourning the matter.

2. It is made clear that if respondents no. 6 to 11 do not appear on the next date despite service of private notice, we propose to pass appropriate interim orders as necessary after hearing the petitioners. The petitioners to place on record the details of the unsold/vacant flats in the building premises.

3. Stand over to 23/04/2026.

(SHYAM C. CHANDAK, J.)

(M.S.KARNIK, J.)