

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3371 OF 2022

Clifford Theodore D'Souza & Ors ...Petitioners
Versus
State of Maharashtra & Ors ...Respondents

Mr Aditya Pimple, *with Sagar Pillai, i/b Deven Dworkadas, for the Petitioners.*

Mr Manish Upadhye, AGP, *for the Respondent-State of Maharashtra.*

Mr PG Lad, *with Sayali Apte, for Respondents Nos 2 & 3.*

Ms Gayatri Surve, *i/b Trupti Bharati, for Respondents Nos 6 to 11.*

Mr AY Sakhare, Senior Advocate, *with Ms Pooja Yadav, i/b Sunil Sonawane, for the MCGM.*

**CORAM G.S. Patel &
Kamal Khata, JJ.**

DATED: 29th January 2024

PC:-

1. The prayers in the Petition are decidedly ambitious. Prayer (c) (iv) seeks a money decree. Prayers (a), (b), (c), (c)(iii) and (d) are in generalities demanding that people comply with the law. We do not issue such writs. . Prayer clause (c)(ii) is some variation on a prayer for specific relief. Prayer clause (c)(i) seeks the cancellation of a No Objection Certificate (“NOC”) issued by Maharashtra Housing

And Area Development Authority (“MHADA”) to Respondent No 6.

2. Respondents Nos 6 to 11 are represented.

3. The Petitioners are not the only tenants/occupants. There are others. They are undoubtedly affected by this relief sought in prayer (c)(i)

4. A simple statement across the bar that the other occupants are supporting the Petitioners is insufficient. They will need to be joined.

5. Leave to amend, to join the other tenants/occupants with their current addresses. Amendment to be carried out by Friday, i.e., 2nd February 2024 without need of re-verification. A copy of the amended Petition is to be served on the newly added Respondents by 9th February 2024.

6. List the matter on 13th February 2024.

(Kamal Khata, J)

(G. S. Patel, J)