

Talwalkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2631 OF 2023

Rite Developers Pvt Ltd & Anr ...Petitioners
Versus
Municipal Corporation of Greater Mumbai & Ors ...Respondents

**Dr Milind Sathe, Senior Advocate, with Saket Mone, Shrey Shah, i/
b Vidhi Partners, for the Petitioner.**
**Mr V Shridharan, Senior Advocate, with Kunal Waghmare, for the
Respondent-MCGM.**

**CORAM G.S. Patel &
Kamal Khata, JJ.**
DATED: 6th November 2023

PC:-

1. We are told that in accordance with the interim orders of the Supreme Court some amount has been deposited with the Municipal Corporation of Greater Mumbai (“MCGM”). An additional amount is deposited with this Court. The Petitioners undertake to this Court that if at the final disposal of the Petition any further amounts are found payable by the Petitioners to the MCGM as property tax, they will make that payment in full within such time as this Court directs. We accept that undertaking but since the 1st Petitioner is a developer and the 2nd Petitioner is a Cooperative Housing Society, we will accept this undertaking

presently on behalf of the 1st Petitioner. We require a duly authorised Director of the 1st Petitioner to file an affirmed undertaking to this effect in this Writ Petition.

2. On the basis that we have already accepted that undertaking because it is so conveyed to us by Dr Sathe who appears for the Petitioners, we direct the MCGM to begin the process of granting the Occupation Certificate (“OC”) for the rehab component of this composite development and to take up any applications for building permission including Commencement Certificates (“CC”) for the free sale component.

3. List this matter on 5th January 2023 at 2:30 pm for final hearing and disposal.

4. Affidavit in Rejoinder is to be filed and served before the next date of hearing.

(Kamal Khata, J)

(G. S. Patel, J)