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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO.2157 OF 2021**

Kapilkunj Cooperative Housing Society Ltd ...Petitioner  
*Versus*  
State of Maharashtra & Ors. ...Respondents

**WITH  
INTERIM APPLICATION (L) NO 3384 OF 2022  
IN  
WRIT PETITION NO.2157 OF 2021**

Rajesh Madhukar Chavan ... Applicant  
*Versus*  
Kapilkunj Cooperative Housing Society Ltd ...Petitioner

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**Mr J S Kini, i/b Sapna Krishnappa for the Petitioner.**  
**Mr L T Satelkar, AGP for the State/Respondent No 1**  
**Mr Prithiraj Gole, i/b Sandesh D Patil for Respondent No 2.**  
**Mr Simil Purohit, with Mr Rubin Vakil, Mr Manish Doshi i/b**  
***Vimadalal & Company for Respondent No 3.***

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**CORAM G.S. Patel &  
Madhav J. Jamdar, JJ.**  
**DATED: 11th February 2022**

**PC:-**

1. Without prejudice to all the rights and contentions of the Petitioners, we direct the SRA to immediately and urgently carry

out an inspection of the alternative PTC or Permanent Transit Camp at Kurla constructed by the Developer. This is on Mr Purohit's representation for the Developer that if the SRA clears the PTC structure then the existing structure can be regularised. The grievances of the Petitioner society at least in regard to completion of the project may be sufficiently addressed and the Developer will be able to exit the project. We have not addressed any questions of financial liability so far.

2. There is an Affidavit from SRA simply opposing the Petition. But that is not enough. An Affidavit of the SRA which shows that the SRA has carried out an inspection and annexing to that Affidavit a copy of the SRA's report following that inspection is required. That inspection is to be carried out by 18th February 2022 and the Affidavit is to be filed by the SRA by 25th February 2022.

3. The Affidavit in Reply of the Developer is permitted to be filed in the registry by 25th February 2022. No other parties will file affidavit until further orders of the Court.

4. List the Petition on 1st March 2022.

5. All concerned will act on production of a digitally signed copy of this order.

**(Madhav J. Jamdar, J)**

**(G. S. Patel, J)**