

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO.9 OF 2016

Mr. Yuvraj Sandipal Sawant.] ... Petitioner

Versus

Mahalaxmi Co-op Housing Society Ltd. & Ors.] ... Respondents

Mr. Yogesh Sankpal a/w Mr. Makarand Kale for Petitioner.

Mr. G. W. Mattos for State.

Mr. P. G. Lad for MHADA.

Mrs. Shobha Ajithkumar for Corporation.

Mr. Sachin Khandagale a/w Mr. Vipin Kastle for Respondent No.1.

Mr. Kiran Gandhi i/b M/s. Little & Co. for Respondent No.6.

Mr. N. S. Rajeshirke for Respondent Nos.19 & 33.

Mr. Ameya Gokhale a/w Ms. Salonee Kulkarni & Mr. Gaurav Mohanty
i/b Shardul Amarchand Mangaldas & Co. for Respondent No.21.

Mr. G. S. Godbole a/w Mr. Atharva Dandekar, Ms. Dipika Biswas &
Ms. Merlyn Dias for Respondent No.28.

Ms. Sunitha Perumal a/w Mr. Shashank Choudhary i/b S. R. Masurkar
for Respondent No.29.

Ms. Priti Raut, Secretary of Respondent no.31, present in person.

Mr. Shashikant Sawadkar i/b Mr. Devendra Sharma for Respondent
No.35.

Mr. N. B. Patil a/w Mr. A. N. Mulla for Respondent No.38.

Mr. Sandeep K. for Respondent No.40.

Mr. S. B. Pawar a/w Ms. Anjali Mishra & Ms. Rashi Agarwal i/b M/s. S. K. Legal Associates LLP for Respondent Nos.41, 54, 68 & 69.

Mr. Nikhil Wable for Respondent No.46.

Mr. Shivaji Lambe for Respondent No.48.

Mr. Amit Karle for Respondent No.52.

Mr. Deepak Shukla i/b M/s. Vinod Mistry & Co. for Respondent No.53.

Ms. Disha Kunder i/b Lodha Legal for Respondent No.55.

Mr. C. N. Mehta i/b M/s. MMK Law Associates for Respondent No.62.

Ms. Prerna Lalchandani for Respondent No.63.

Ms. Namita Mestry a/w Mr. Navdeep Vora i/b M/s. Navdeep Vora & Associates for Respondent No.64.

Ms. Gauri Meshta I/b M/s. LJ Law for Respondent No.66.

**CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.**

DATE :- 10 APRIL, 2017

P. C. :-

1. Heard learned Counsel for MHADA. It is brought to our notice that about 67 societies who have to surrender 10% of units each constructed by them to MHADA and State, have not complied

with the directions to substantial extent. It is also submitted by some of the societies appearing before us that most of the societies are exempted. However, the said fact is yet to be ascertained and that can happen only after MHADA and State Government place their affidavits-in-reply with all the details.

2. It is made clear that none of the 67 respondent societies which were already there and now added, including the additional respondents or their members with regard to the units which ought to have been surrendered to MHADA and the State Government, will approach any forum, including the Civil Court, to obtain any interim order pending this PIL without the leave of this Court.

3. All the additional respondents now brought on record shall file affidavits-in-reply individually without paginating the papers since number of affidavits-in-reply could lead to confusion. Registry shall paginate the affidavits-in-reply accordingly.

4. Stand over to 19 June 2017.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)