

JPP

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

PUBLIC INTEREST LITIGATION NO. 9 OF 2016

Mr. Yuwaraj Sandipan Sawant. ... Petitioner.

V/s.

Malaxmi Co-op Housing Society Ltd.
Earlier known as Vidhan Bhavan Suraksha
Adhikari Karmachari Hsg. Society & Ors. ... Respondents.

Mr.Yogesh Sankpal, for the Petitioner.

Mr. G.W. Mattos, AGP for State.

Mr. P.G.Lad, for MHADA.

Ms. Trupti Puranik a/w Ms. Geeta Yadav for Corporation.

Mr. B.G.Tangsali, for Respondent Nos.1 & 8.

Mr. Prabha Badadare, for Respondent Nos.9 & 10.

Mr. Anant Tripathi i/b Little & Co., for Respondent No.17.

Mr. Ameya Gokhale i/b. M/s. Shardul Amarchand & Mangaldas, for Respondent No.21.

Mr. Akshay Sawant i/b Nikhil Rajeshirke, for Respondent No.33.

Mr. Tejesh Dande a/w. Mr. Bharat Gadjavi and Niranjana Bhavake and Rushikesh Kale i/b. Tejesh Dande & Assoc., for Respondent No.39.

Mr. Nikhil Wasle for Respondent Nos. 43 and 46.

Ms. Sarita Ranpise i/b. Shivaji Lanke for Respondent No.48.

Ms. Snehal Dukhale i/b Mehul Shah, for Respondent No.51.

Ms. Aastha Tahmankar, for Respondent No.52.

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

Ms. Alisha Ningoo i/b Lodha Legal, for Respondent No.55.

Mr. C.N. Mehta i/b M/s. MMK Law Assoc., for Respondent No.62.
Ms. Prerna Lalchandani, for Respondent No.63.
Ms. Namrata Barot i/b Navdeep Vora & Asso., for Respondent No.64.
Ms. Gauri Mestha i/b LJ Law, for Respondent No.66.
Mr. Dharmesh Sampat i/b S.R.Singh, for Respondent No.67.
Ms. Anjali Mishra i/b. S.K. Legal Assoc. for Respondent Nos. 41,54, 68 and 69.

***CORAM : DR. MANJULA CHELLUR, C.J. &
N.M. JAMDAR, J.***

DATE : SEPTEMBER 21, 2017.

P.C. :-

Learned Counsel appearing for the Respondent – MHADA submits that out of 57 societies which violated the terms of agreement and the procedure in not handing over 10% of the total units to the State Government and MHADA, only partial information is received. We fail to understand why MHADA is taking it easy or showing or giving lot of accommodation to the societies without bringing to our notice what exactly is the position. As a matter of fact, without the *pro bono publico* pointing out the deficits, MHADA ought to have taken positive steps in taking action against the societies if they had not complied with the obligation as stated above. With the machinery the Respondent – MHADA is having, definitely, it will not take more than one month to secure all the details. The Court has reminded the Respondent - authority on every hearing date right from April 2017

till date. We are pained to know that they are still in the process of collecting the information.

2. We direct the Respondent – MHADA to place on record all the details, as directed earlier, or at least the details which they have collected so far within a week from today, in the form of an affidavit from a responsible officer of the authorities, otherwise we will direct the highest authority of the MHADA to be present so that we can impress upon the seriousness involved in the matter.

3. Stand over to 28 September 2017.

(N.M. JAMDAR, J.)

CHIEF JUSTICE