

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO.49 OF 2019**

Yashowan Tower Co-op. Hsg. Soc. Ltd. ... Petitioner

Vs.

Slum Rehabilitation Authority & Ors. ... Respondents

**WITH**  
**INTERIM APPLICATION (ST) NO.2988 OF 2021**  
**IN**  
**WRIT PETITION NO.49 OF 2019**  
**WITH**  
**CONTEMPT PETITION (L) NO.5098 OF 2021**  
**IN**  
**INTERIM APPLICATION (ST) NO.2987 OF 2021**  
**WITH**  
**INTERIM APPLICATION (ST) NO.5967 OF 2021**  
**IN**  
**WRIT PETITION NO.49 OF 2019**  
**WITH**  
**NOTICE OF MOTION NO.253 OF 2017**  
**IN**  
**CHAMBER SUMMONS NO.119 OF 2017**  
**WITH**  
**WRIT PETITION NO.728 OF 2017**  
**WITH**  
**CHAMBER SUMMONS NO.119 OF 2017**  
**IN**  
**WRIT PETITION NO.728 OF 2017**  
**WITH**  
**INTERIM APPLICATION (ST) NO.5338 OF 2021**  
**IN**  
**WRIT PETITION NO.49 OF 2019**  
  
**WITH**  
**INTERIM APPLICATION (ST) NO.4945 OF 2021**

**IN**  
**WRIT PETITION NO.49 OF 2019**

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Mr. Kunal R. Kumbhat i/by Sunanda Kumbhat for the Petitioner in WP No.728/2017 and for Respondent No.5 in WP No.49/2019.

Mr. Rajesh A. Revankar i/by Sonali V. Sigum for the Petitioner in WP No.49/2019 and for Intervenor in WP No.728/2017 and for the Petitioner in CONPWL No.5098/2021.

Mr. Jagdish G. Aradwad (Reddy) for Respondent Nos.1 to 3 in WP No.728/2017 and for Respondent Nos. 1 & 2 in WP No.49/2019.

Mr. Hemant Haryan, AGP for the State.

Ms. Sheetal Metkari i/by Aruna Savla for MCGM.

Mr. Ashish Kulkarni, partner of Respondent No.5 is present.

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**CORAM : S.J. KATHAWALLA &  
VINAY JOSHI, JJ.**

**DATE : 4TH MARCH, 2021**

**P.C. :**

1. The Slum Rehabilitation Authority (**SRA**) shall depute its architect to the subject building and after verifying as to whether the structure, which is constructed on the 8<sup>th</sup> floor is as per the rules applicable to the refuge area, submit its report to the Court on 10/03/2021. If any unauthorised construction is found on the refuge area of the building, SRA shall forthwith take steps to have the same removed.

2. Interim Application (Stamp) No.2988 of 2021 shall be placed for hearing alongwith the hearing of the Writ Petition.

**(VINAY JOSHI, J.)**

**(S.J. KATHAWALLA, J.)**