

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 5210 OF 2024**

Anjali Prannath Bhojne & Ors.

... Petitioners

V/s.

The State of Maharashtra & Ors.

... Respondents

WITH**WRIT PETITION NO. 2540 OF 2024**

Meera Kudtarkar

... Petitioner

V/s.

Swami Shree Hari Developers Pvt Ltd. & Ors.

... Respondents

Mr. Shriram Kulkarni a/w Mr. Krunal Thakkar and Mrs. Pooja Sejpal for Petitioners in in Writ Petition No.5210 of 2024.

Ms. Gaurangi Patil, A.G.P for Respondent-State in Writ Petition No.5210 of 2024.

Mr. Satyadev Joshi i/b Inderpal Singh for Respondent No.2 in both Petitions.

Ms. R.M. Hajare i/b Ms. Komal Punjabi for Respondent-MCGM.

Mr. Santosh Raut, Executive Engineer, Building Proposal (WS2) and Mr. Rahul Joshi, Sub-Engineer (BP) (WS2), present.

Mr. Avinash Kango for Petitioner in Writ Petition No.2540 of 2024.

Mr. Vikranat Parashurami, A.G.P for Respondent-State in Writ Petition No.2540 of 2024.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 19th December 2024.

P.C. :

- 1) Issue notice to Respondent No.3, returnable on 10th January 2025.

- 2) Humdast permitted.
- 3) Mr. Divyesh R. Desai, Director of Respondent No.2 has filed an Affidavit dated 18th December 2024 (in Writ Petition No.5210 of 2024). In para No.6 thereof, he has given an undertaking that, he will complete the entire construction work of 'B' wing of Respondent No.3-society within a period of 18 months from the date of issuance of commencement certificate.
- 4) Mr. Satyadev Joshi, learned counsel for Respondent No.2 on instructions submitted that, it may take about 15 days' time to clear the arrears of transit rent of the Petitioners.
- 5) Mr. Shriram Kulkarni, learned counsel appearing for the Petitioners in Writ Petition No.5210 of 2024 on instructions raises various doubts about the financial capacity of Respondent No.2 in complying with the undertaking given and statements made by Director of Respondent No.2, in his Affidavit dated 18th December 2024.
- 6) However at the request of learned counsel for Respondent No.2, we grant him 10 days' time to clear the arrears of transit rent, as stated in para Nos.3 and 4 of the Affidavit dated 18th December 2024.
- 7) Stand over to 10th January 2025.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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RAJESH VASANT
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Date: 2024.12.21
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