

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1206 OF 2017

D.N.NAGAR TIRUPATI CO-OPERATIVE)
HOUSING SOCIETY LIMITED)...PETITIONER

V/s.

THE MUNICIPAL CORPORATION OF)
GREATER MUMBAI AND OTHERS)...RESPONDENT

Mr.Vineet Naik, Senior Counsel, Mr.Rakesh Reddy Patil, Mr.Nivit Srivastava, Mr.Nakul Jain, i/b. Maniar Srivastava Associates, Advocate for the Petitioner.

Ms.Kavita Salunke, AGP for the Respondent No.5 - State.

CORAM : SHANTANU S. KEMKAR &
A. M. BADAR, JJ.

DATE : 2nd MAY 2017

P.C. :

Not on board. Taken on board, in view of urgency.

2 Leave to amend, so as to implead State as respondent no.5, is granted. Amendment to be carried out forthwith.

3 Heard learned counsel for the petitioner on the question of admission. Issue notice to respondents. Learned AGP waives service of notice on behalf of respondent no.5. Steps for service of notice on respondent nos.1 to 4 be taken within two weeks.

4 In view of various interim orders passed by the courts from time to time, including the order on 16th March 2016 in the case of Samata Nagar Co-op. Housing Societies Union Ltd. and Others vs. The Municipal Corporation of Greater Mumbai and Others (Writ Petition No.206 of 2015) as also the order passed in Writ Petition (L) No.818 of 2017 dated 30th March 2017, we grant interim relief in terms of Prayer Clause (H) to the extent that pending the hearing and final disposal of the present Writ Petition, this Hon'ble Court be pleased to direct Respondents No.1 to 3, their Officers, agents and servants to grant further permission/s but not limited to Commencement Certificate with respect to the redevelopment project undertaken by Respondent No.4 on all that piece and parcel of land admeasuring 1021.18 Sq. Mtrs. lying being and situate at C.T.S.No.195 (pt.), D.N.Nagar, Village

Andheri, Taluka Andheri, Mumbai Suburban district without insisting on payment of Development Charges as contained in the payment Sheet dated 27th March 2017 (Exhibit "L" to the petition).

5 List the matter as per CMIS date.

(A. M. BADAR, J.)

(SHANTANU S. KEMKAR, J.)

