



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION (ST) NO. 5444 OF 2020**

Shahid Bhagat Singh Cooperative Housing Society ...Petitioner  
*Versus*  
The State Of Maharashtra & Ors ...Respondents

Mr. Anand Jondhale, Mr. Jigar Agarwal, Yashoda Jondhale i/b. Jondhale and Co for the Petitioner.  
Mr. Rajesh Patil for the Respondent - MCGM

**CORAM : A. A. SAYED, J  
DATED : 8<sup>th</sup> APRIL, 2020**

**P.C.:**

Mentioned. Heard in view of the urgency expressed. The Undertaking of the learned Counsel for the Petitioner is recorded that all office procedural compliances shall be made at the earliest available opportunity.

2. It is pointed out on behalf of the learned Counsel for the Petitioner-Society that presently there are 23 families who are staying in the subject building and they are without electricity and water supply. It is submitted by learned Counsel for the Petitioner that the entire area has been 'sealed' because of some positive COVID-19 patient/s found in the area and it is impossible for the said 23 families to shift out in the present scenario.

3. In the facts and circumstances of the case and inasmuch as the Counsel for the Petitioner states that as soon as the lock-down period is



over, the said 23 families shall vacate their respective premises and the building within four days from the date of lifting of the lock-down, the Respondents - MCGM & BEST are directed to restore the electricity and water supply immediately, upon the Petitioner-Society to paying necessary charges. The statement of the learned Counsel is recorded as an undertaking of the Petitioner-Society and the 23 families to the Court.

4. It is made clear that the Petitioner-Society would not be entitled to seek any extension of time. This order is passed in view of the extraordinary situation prevailing and shall not absolve the Petitioner-Society and its members of being proceeded against for breach of undertaking given by them in the year 2018. It is also made clear that since the building in question is in a completely dilapidated state, the 23 families would reside in the said building during the lock-down period at their own risk.

5. List the Petition on 15<sup>th</sup> April, 2020.

6. All concerned to act on the ordinary copy of this order duly authenticated by the Personal Assistant.

**(A. A. SAYED, J.)**