Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 54 OF 2017

Champalal Harakchand & Anr …Petitioners
Versus
The State of Maharashtra & Ors …Respondents

THIRD PARTY APPLICATION (L) NO. 197 OF 2019

IN

WRIT PETITION NO. 54 OF 2017

Champalal Harakchand & Anr …Petitioners
Versus
The State of Maharashtra & Ors …Respondents
And
Subhash Jaiswar ...Third Party Applicant

Mr Ajit Panickar, *with Mangesh Sawant, for the Petitioners.*
Mr Himanshu Takke, *AGP, for Respondents Nos. 1 & 7 -State.*
Mr Aniket Mukadam, *i/b Anoop Patil, for Respondents Nos. 2 to 6-SRA.*
Ms Pooja Kshirsagar, *with Laxman Jain, i/b Yogesh Adhia, for Respondent No. 8.*
Mr Santosh Pathak, *with K Pathak, i/b Santosh Pathak, for Respondent No.9.*

ARUN RAMCHNDRA SANKPAL

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Date: 2021.11.16 15:32:27 +0530

CORAM: G.S. Patel &
Madhav J. Jamdar, JJ.
DATED: 15th November 2021

PC:-

1. On instructions received in the course of the day, the learned Advocate of the Petitioners states that the Petitioners will make a representation or supplemental representation showing cause in response to the Notice dated 12th August 2016 (Exhibit "Z" to the Petition) issued by the Chief Executive Officer, SRA ("CEO").

2. The Petitioners will be entitled to rely on the Petition and all Affidavits that they have filed in these proceedings as also all exhibits to those proceedings and the Petition.

3. The 8th Respondent, Jay Santoshi Mata CHSL, represented before us by Ms Kshirsagar, will be entitled to be heard before the CEO of SRA passes any order. Ms Khirsagar states that her clients will rely on the Affidavits in Reply that have been filed by the Society and by the developer firm, Rameshwar Enterprises, the 9th Respondent.

4. Similarly, Rameshwar Enterprises will also be entitled to be heard before the SRA and to rely on its affidavits and those filed by the Society..

5. The CEO, SRA is requested to schedule the hearing on some convenient date before 26th November 2021 and to render his reasoned decision at the earliest possible thereafter and in any event on or before 9th December 2021. If the decision of the CEO, SRA is against the Petitioner it will not be acted upon for a period of 10 days from the date of the decision.

6. The Petition is disposed of in these terms. There will be no orders as to costs.

7. All contentions are left open.

8. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J.) **(G. S. Patel, J)**