

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6867 OF 2021

Ansari Mohammed Zaki ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.6872 OF 2021

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Shekhar K. Mahalazmikar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.6873 OF 2021

Sagar Ashok Bhosale & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.6875 OF 2021

Vasant Rohidas Lotlikar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.6878 OF 2021

Ashok Gokaldas Gurnani
Through POA Komal Gopi Chhabaria ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.6880 OF 2021**

K Ashrafuddin	...Petitioner
<i>Versus</i>	
The State of Maharashtra & Ors.	...Respondents

**WITH
WRIT PETITION NO.6919 OF 2021**

Rahul Vivek Nadkarani & Anr.	...Petitioners
<i>Versus</i>	
The State of Maharashtra & Ors.	...Respondents

**WITH
WRIT PETITION NO.6877 OF 2021**

Asad Anwar Khatu	...Petitioner
<i>Versus</i>	
The State of Maharashtra & Ors.	...Respondents

Mr.Manish Gala i/b Law Square for the Petitioner in all Petitions.
Mrs.M.P. Tahkur, AGP, for the Respondent-State in all Petitions.
Ms.Akanksha Agarwal i/b Vidhi Doshi for Respondent Nos.5 to 8 in all Petitions.

**CORAM : S.V. GANGAPURWALA &
M.G. SEWLIKAR, JJ.**

DATE : 27 APRIL 2022

P.C:-

. We have heard the learned counsel for the Petitioners,
the learned counsel for Respondent Nos.5 to 8 and learned AGP
for Respondent Nos.1, 2 and 3.

2. In all these matters the Petitioners are armed with an order in their favour passed by the Member and Adjudicating Officer, MahaRERA, Mumbai. Thereby directions are issued to the present Respondents i.e. Vidhi Realtors (Gaurav Discovery) to make the payment.

3. The learned counsel for Respondent Nos.5 to 8 submits that Respondent Nos.5 to 8 have *bona fide* intention of repaying the amount to the Petitioners as per the orders passed by Member and Adjudicating Officer, MahaRERA, Mumbai.

4. The learned counsel for the Petitioners submits that in many of the matters the Respondent Nos.5 to 8 and sister companies have entered into a settlement. If the Petitioners agree, the Respondent Nos.5 to 8 may enter into agreement with them and Respondent Nos.5 to 8 would make payment as agreed in installment.

5. It is between the parties to settle the matter as per the terms and conditions as may be agreed between them.

6. In the present matter, the grievance is made that the orders passed by MahaRERA, Mumbai are not being executed by the Revenue Authorities.

7. If within a period of two months settlement between Petitioner and Respondent Nos.5 to 8 is not arrived at then immediately within 15 days the Tahasildar/Competent Revenue Authority shall execute the recovery warrant as per the provisions of Maharashtra Land Revenue Code by attaching and selling the property of the Respondents.

8. There shall not be laxity on the part of the Authority in executing the said recovery certificates in terms of the orders passed by the Member and Adjudicating Officer, MahaRERA, Mumbai.

9. With these observations, the Petitions stands disposed of.

(M.G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)