

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 29636 OF 2021

Asyra Developers Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 29705 OF 2021

Shiny Estate Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 12745 OF 2022

Nash Real Estate Pvt Ltd ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 12747 OF 2022

Ohelo Realities Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 12751 OF 2022

Akira Realities Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 12765 OF 2022

Delphi Realities Pvt Ltd ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 12793 OF 2022**

Vallari Realities Estate Pvt Ltd ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 21680 OF 2022**

Ethan Realities Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 21687 OF 2022**

Praneel Realities Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 29641 OF 2021**

Nadira Realities Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 29647 OF 2021**

Flex Real Estate Private Limited ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 29648 OF 2021**

Vidhyavihar Estate Pvt Ltd ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

**WITH
WRIT PETITION (L) NO. 29651 OF 2021**

Taralyn Real Estate Private Ltd. ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 29678 OF 2021

Georgia Real Estate Pvt Ltd ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 29688 OF 2021

Shubhra Real Estate Pvt. Ltd. ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 29694 OF 2021

Nayantara Real Estate Pvt. Ltd. ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 29700 OF 2021

Nolana Realities Private Limited ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION NO. 54 OF 2022

Calibre Real Estate Pvt Ltd ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

WITH
WRIT PETITION (L) NO. 21681 OF 2022

Branson Real Estate Private Ltd. ... **Petitioner**
 Versus
 The State of Maharashtra & Ors. ... **Respondents**

Mr. Nikhil Vijay Adkine for Petitioners

Ms. Manisha Jagtap a/w. Mr. Mayuresh Ingale, Ms. Padmaja Malgaonkar for Respondent MHADA.

Mr. Hemant Haryan, AGP in WPL/29636/2021, WPL/21687/2022.

Mr. S.B.Gore, AGP in WPL/12745/2022.

Mr. M.A.Sayed, AGP in WPL/12474/2022.

Mr. Manish Upadhye, AGP in WPL/12751/2022.
Smt. Uma Palsuledesai, AGP in WPL/12765/2022,
WPL/21680/2022.

Smt. P.H.Kantharia, GP in WPL/12793/2022, WPL/29688/2021.

Mr. Milind More, Addl.G.P. in WPL/21681/2022, WPL/29694/2021.

Mr. Himanshu Takke, AGP in WPL/29641/2021.

Smt. Jyoti Chavan, AGP in WPL/54/2022.

Mr. Amit Shastri, AGP in WPL/29647/2021.

Mr. Abhay L.Patki, Addl. G.P. in WPL/29648/2021.

Mr. L.T.Satelkar, AGP in WPL/29651/2021.

Mr. Sukanta Kamakar, AGP in WPL/29678/2021.

Mr. Dushyant Kumar, AGP in WPL/29700/2021.

Mr. Kedar Dighe, AGP in WPL/29705/2021

**CORAM: S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : AUGUST 26, 2022

P.C.

1. We have heard learned Counsel for the petitioner and learned Advocate for the respondent/Maharashtra Housing and Area Development Authority (MHADA).
2. It is submitted that the Division Bench of this Court under order dated 3rd January 2022 in Writ Petition (L) No. 19891 of 2021 to which one of us (Madhav J. Jamdar, J.) was a party had issued directions and thereby Clause 25 of the NOC dated 28th February 2011 and Clause 28 of revised NOC dated 4th June 2015 are held not to sustain and those two clauses are quashed and set aside. The same relief is sought in the present petitions. The petitioners are aggrieved with the same Clause 25 of the NOC dated 28th February 2011 and Clause 28 of revised NOC dated 4th June 2015 and the same has already been quashed and set aside in Writ Petition (L) No. 19891 of 2021 Under order dated 3rd January 2022. The purpose of filing of writ petitions would not survive.
3. It is further submitted by the learned Advocate for respondent/MHADA that subsequent to the order passed by this Court on 3rd January 2022 in Writ Petition (L) No. 19891 of 2021, the MHADA would take further steps of de-clubbing of 22 private limited companies/tenancy. Naturally, the MHADA is required to take further steps pursuant to the order dated 3rd January 2022 of this Court expeditiously.
4. With the aforesaid observations, the writ petitions are disposed of. No costs.

(MADHAV J. JAMDAR, J.)**(S.V. GANGAPURWALA, J.)**

Gaikwad RD