

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1361 OF 2024

Neelam Pravin Mehta ... Petitioner
V/s.
The State of Maharashtra & Ors ... Respondents

**WITH
WRIT PETITION NO.1585 OF 2024**

Foresight Shelters Pvt. Ltd. ... Petitioner
V/s.
The State of Maharashtra & Ors ... Respondents

Mr. Vineet Naik, Sr. Advocate a/w Mr. Sukand Kulkarni,
for Petitioner in WP/1361/2024.

Mr. Ashish Komat, Sr. Advocate i/by Mr. A. A. Devkhile,
for Petitioner in WP/1585/2024.

Mrs. V. R. Raje, AGP for State/Respondent Nos.1, 7 to
12.

Mr. R. A. Thorat, Sr. Advocate a/w Ms. Amisha
Didwania a/w Mr. Adith M. K. i/by NDB La, for
Respondent No.2.

CORAM : AMIT BORKAR, J.

DATED : APRIL 29, 2024

P.C.:

1. Arguable questions are raised. Hence, **Rule.**
2. Prima facie, it appears that the declaration of respondent

No.2's ownership was stayed by this Court, by the judgment and order dated 1 April 2003. The Application under Section 149 and 150 of the Maharashtra Land Revenue Code, 1966 ("**MLRC**") was filed in the month of June 2003. It is not in dispute that on the date of filling of the Application under Section 149 and 150 of the MLRC and on the date of passing of the impugned order, the effect, and operation of both the judgments and orders passed by the 3rd Additional District Judge, Pune in Civil Appeal No.165 of 2000 was stayed. The petitioner has made out a case for grant of interim relief.

3. There shall be interim relief in terms of prayer clause (c) in both the writ petitions.
4. Liberty to the parties to move present petition for hearing after the decision in the second appeal.

(AMIT BORKAR, J.)