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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 666 OF 2024

Aakar Shivam Realty ...Petitioner
Versus
State of Maharashtra & Ors ...Respondents

Mr Naira Jejeebhoy, with Pratik Jani & Prince Vaishnav, i/b Prime
Legal, for the Petitioner.
Mr Joel Carlos, with Pooja Yadav, for the Respondent-BMC.
Mr Himanshu Takke, AGP, for the Respondent-State.

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 17th April 2024

PC:-

1. Mr Carlos submits that the Petitioner is late to the party. The party in question is a decision in *Prestige Estate Projects Ltd v State of Maharashtra*.¹ The Petition is on the same footing and is fully covered by that judgment.

2. Consequently, the same directions that were passed in that Petition, including as to the revalidation/renewal of all Intimation of Disapprovals and a refund are to be processed. This is because in this case the Petitioner has in fact made a payment on a without

1 2023 SCC OnLine Bom 2435 : 2023:BHC-OS:13164-DB.

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prejudice basis. There were several other cases before us in the Prestige Estate group that were on the same basis.

3. The Petition is disposed of in these terms.

(Kamal Khata, J)

(G. S. Patel, J)