

Wadhwa

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO. 23 OF 2024
IN
WRIT PETITION NO. 3674 OF 2022**

Najma Aslam Merchant & Anr ...Petitioners
Versus
The State of Maharashtra & Ors ...Respondents

**WITH
SHOW CAUSE NOTICE NO. 1 OF 2024
IN
CONTEMPT PETITION NO. 23 OF 2024
IN
WRIT PETITION NO. 3674 OF 2022**

Najma Aslam Merchant & Anr ...Petitioners
Versus
The State of Maharashtra & Ors ...Respondents

**Ms Aneesa Cheema, with Pranita Saboo, i/b DSK Legal, for the
Petitioners.
Ms Nazia Shaikh, AGP, for the Respondent-State.
Mr Kalpesh Joshi, with Sarvesh Dixit, i/b Kalpesh Joshi & Associates,
for Respondents Nos 7 to 10.
Mr Kunal Waghmare, for the Respondent-MCGM.**

CORAM G.S. Patel &

Kamal Khata, JJ.

DATED: 15th March 2024

PC:-

1. Ms Cheema states that there is now an Occupancy Certificate from the ground to the 13th floor and this covers the two flats of the Petitioners. That grievance is therefore now resolved. What remains is the amount due as arrears of transit rent on which there is a dispute. There is now also an order of the Supreme Court of 2nd February 2024 staying our direction for a deposit of the amount of Rs 51,21,035/-.
2. Ms Cheema maintains that an additional amount is payable. This is disputed by Mr Joshi. An Affidavit in Reply to that effect is to be filed and served by 28th March 2024.
3. List the Petition on 5th April 2024.
4. If there are any documents to be executed for the purposes of possession, these must be forwarded in advance in draft to the Advocates for the Petitioners.

(Kamal Khata, J)

(G. S. Patel, J)