

Amol

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

WRIT PETITION NO. 260 OF 2024

Ravi Ramnath Joshi

...Petitioner

Versus

State of Maharashtra & Ors

...Respondents

Mr Cyrus Jal, with Mr Swapan Samdani, i/b, Swapan Samdani, for the Petitioner.

Ms S D Vyas, Addl GP, with Adv M M Pable, AGP, for the Respondents 1 to 3-State.

**CORAM M.S. Sonak &
 Advait M. Sethna, JJ.
DATED: 17 October 2025**

PC:-

1. Heard learned Counsel for the parties.
2. The basic grievance in this Petition was that the State authorities which were duty bound to execute the warrant of attachment and recovery certificates against Respondents 5, 6 and 7 were not diligent enough in doing so.
3. Therefore, on 3 October 2025 we passed the following the order :-

“1. Ms. Vyas, the learned Additional Government Pleader states that she will obtain instructions regarding the steps taken by the Respondent Nos.2 and 3 for executing the warrant of attachment and recovery certificate against Respondent Nos.5, 6 and 7.

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2. Details of such action should be disclosed on an affidavit to be filed either by the Collector or the Tahasildar by 14 October 2025.

*3. We list this matter on **17 October 2025** for further consideration.*

4. The learned counsel for the Petitioner states that he will apply to the 4th Respondent for delivery of possession in terms of the orders made by the 4th Respondent. If such application is made, we have no doubt that the 4th Respondent will deal with the same expeditiously.”

4. Pursuant to the above order, Mr Iresh Chappalvar, Tahasildar of Borivali has filed an affidavit before us. On perusing the affidavit, we find that steps have been taken towards execution. The affidavit now records that the attached properties are scheduled to be auctioned on 24 November 2025.

5. Necessary documents have also been annexed to the affidavit.

6. Now that the Respondents who are enjoined to undertake the execution are taking diligent steps, we see no point in pending this Petition. We direct the executing authorities to expedite the process so that the Petitioner recovers the amounts awarded to him under the orders of the Maharashtra Real Estate Regulatory Authority.

7. As regards the issue of possession, we have already granted the Petitioner liberty to apply to the 4th Respondent and issue directions for expeditious disposal of such application if and when made.

8. Therefore, by accepting the affidavit filed on behalf of Respondents 2 and 3 and by directing the said authorities to

act consistent with the same, we dispose of this Petition. No costs. All concerned to act on an authenticated copy of this order.

(Advait M. Sethna, J)

(M.S. Sonak, J)