

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12121 OF 2024

Marvel Landmarks Pvt. Ltd.

....Petitioner

Versus

The State Of Maharashtra & Ors.

....Respondents

Mr. R.S. Pawar, AGP for State.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 03, 2025

ORDER :

1. The core jurisdictional question raised in this matter relates to reversal of the transaction in terms of Section 18 of the Real Estate (Regulation and Development) Act, 2016 ("**RERA**") which has been effected by an Adjudicating Officer exercising jurisdiction under Section 71 of the RERA. This issue appears to be squarely covered by a judgment of a three Judge Bench of the Supreme Court in *Newtech Promoters and Developers Pvt. Ltd.*¹. The said judgement is said to have been followed by a Division Bench of this Court. In these circumstances, it would be appropriate to call for a reply from the Respondents. Liberty is also granted to Respondent No.5 to file a Reply.

AARTI
GAJANAN
PALKAR

Digitally signed
by AARTI
GAJANAN
PALKAR
Date:
2025.12.09
12:25:59
+0530

I Newtech Promoters and Developers Pvt. Ltd. v. State of UP – AIR Online 2021 SC 1018

Page 1 of 2

DECEMBER 03, 2025

Aarti Palkar

2. A pure jurisdictional question has been raised and it would be necessary to examine this expeditiously, so that interest of Respondent No.5 is also not unnecessarily undermined. Therefore, a reply may be filed within a period of three weeks from today. Rejoinder, if any, to be filed within a week thereafter.

3. Stand over to ***January 7, 2026***.

4. In the meanwhile, execution of the Impugned Order shall remain stayed until the next date.

5. Registry to issue notice to the Respondents, returnable on ***January 1, 2026***. The Petitioner is granted liberty to effect private service by all permissible modes including by electronic means, and to file a Service Affidavit, with tangible evidence of service, on or before the next date.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]