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

WRIT PETITION NO.17541 OF 2024

Raghunath Bandekar Pal ... Petitioner
V/s.
Pragnesh Shah, Chairman,
Amardeep Mahal CHS Ltd. & Ors. ... Respondents

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**AND
SUO MOTO CONTEMPT PETITION NO.18 OF 2025**

High Court on its own motion ... Petitioner
V/s.
Pragnesh Shah, Chairman,
Amardeep Mahal CHS Ltd. & Ors. ... Respondents

Ms. Neeta Jain with Srushti Patil i/by Mr. Alochan Naik
for the petitioner in WP/17541/2024.

Ms. Ishani Khanvilkar with Mr. E.A. Sasi and Mr. Arnav
Rane for respondent Nos.3, 5, and 6.

Mr. Jay Vakil for respondent No.9.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 23, 2025

P.C.:

1. The respondents, who are members of the managing committee and are present before the Court, have made a statement. They state that, in furtherance of the consent terms arrived at between the petitioner in the writ petition, the society, and the developer, the society is willing to compensate the petitioner. Such compensation shall be by payment of transit rent

at the same rate as paid to other members of the society, calculated for an area admeasuring 360 square feet.

2. The only difficulty pointed out by the respondents is that a formal resolution and proper authorisation of the managing committee are required to support such a statement.

3. Having regard to this position, the society is granted time of two weeks to file an undertaking before this Court. The undertaking shall clearly specify the exact quantum of transit rent payable by the society to the petitioner.

4. The next issue relates to handing over of premises admeasuring 360 square feet. In the affidavit in reply filed in the writ petition, the society had expressed its willingness to compensate the petitioner in monetary terms. In continuation of the same stand, the society has stated today that determination of the quantum and total amount payable would require approval of the general body, as the decision involves substantial financial implications for the society.

5. In view thereof, the society shall furnish an undertaking to provide a bank guarantee for the amount calculated as per the ready reckoner rate for an area admeasuring 360 square feet. Such undertaking shall be filed after holding a general body meeting. The general body meeting shall be convened within four weeks from today. The undertaking, along with the bank guarantee for the valuation amount, shall be filed before the next date of hearing. This arrangement shall be without prejudice to the rights and contentions of the parties in the pending litigation.

6. To enable the society to comply with the above directions and file the requisite undertaking, the writ contempt petition shall be listed along with the writ petition on **27 January 2026**.

7. It is clarified that the liability to pay transit rent shall be on the same basis and at the same rate as applicable to other members of the society.

(AMIT BORKAR, J.)