

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3890 OF 2025

Shaikh Sajid Shaikh Khalil & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Niranjan Shimpi, Advocate for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. S.H. Kankal, AGP for the Respondent/State.

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CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 23rd APRIL, 2025

P.C. :-

1. **Issue notice** to the Respondents, returnable on **17th June, 2025**. The learned Additional G.P. waives service of notice on behalf of the Respondents.

2. There is every reason to be circumspect about the transaction entered into by the Petitioners. These Petitioners initially entered into an agreement to sell dated 26th November, 2022, which was notarised by Notary Dast No.1200/2022. The consideration for the agreement to sell was Rs.8,90,00,000/-(Eight Crores Ninety

Lakhs). It is the contention of the Petitioners that within one month of the notarized agreement to sell, the parties cancelled the said agreement. One year thereafter, the same property was sold by the same owner (title holder) to the same proposed buyers, who are the Petitioners before us and some more persons, at Rs.1,10,02,000/- (One Crore Ten Lakhs Two Thousand).

3. The record indicates that there were certain complaints about the said transaction, which was registered on 26th December, 2023. According to the Petitioners, the ready reckoner value of the property was Rs.95,00,000/- (Ninety Five Lakhs). Stamp duty has been paid on Rs.1,10,02,000/- (One Crore Ten Lakhs Two Thousand). It is conveyed to us that these Petitioners are now operating a petrol pump on the said parcel of land.

4. Let the Respondents enter their affidavit in reply, on or before 12th June, 2025.

5. The learned Advocate for the Petitioners submits that, to show the *bona fides* of the Petitioners, until further orders, they would not create any third party interest or encumbrances on the said property. The statement is recorded.

6. All office objections to be removed on or before 8th May, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 9th May, 2025.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)