

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5925 OF 2025

 $V_S.$

Amritlal Devichand Jain ...Respondent

Mr. Filji Frederick with Mr. Aayu Saxena and Ms. Hritika Shroff i/b. FF & Associates for the Petitioner.

Mr. Aurup Dasgupta with Ms. Drishika Hemnani and Ms. Prapti Bhadra i/b. Auroma Law for Respondent.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.
DATE: 05 MAY 2025.

P.C.

1. The prayer in the petitioner is for issuance of writ of Certiorari calling upon the record and proceedings on which the impugned order was passed by MahaRERA.
2. Considering the provisions of Section 58 of the Real Estate (Regulation and Development) Act, 2016, the petitioner in fact needs to file an appeal as recognized in terms of the judgment of the Division Bench of this Court in **Man Global Ltd. Vs. Ram Prakash Joukani**¹.
3. We, accordingly, permit the petitioner to withdraw this petition with liberty to file an appeal. All contentions of the parties are expressly kept open.
4. We are informed that the execution proceedings are kept tomorrow.
5. The MahaRERA Tribunal to adjourn the Execution Proceedings upto 10 June 2025 so as to enable the petitioner to obtain appropriate orders in the proposed appeal which the petitioner intends to file.
6. All contentions of the parties are expressly kept open.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)