

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

WRIT PETITION NO.7332 OF 2025

Omkar Co-operative Housing Society	]	Petitioner
Vs.		
State of Maharashtra through Additional	]	
Chief Secretary Urban Development	]	
Department, Mantralaya, Mumbai and others	]	Respondents

a/w

WRIT PETITION NO.7337 OF 2025

Vasudeo Murlidhar Gurav and others	]	Petitioners
Vs.		
State of Maharashtra and others	]	Respondents

.....

Mr. Nikhilesh Pote, for Petitioners in Writ Petition No.7332 of 2025 and for Respondent No.4 in Writ Petition No.7337 of 2025.

Mr. Ashwin Shete a/w Mr. Rohit Jain and Mr. Gaurav Dalvi i/b Jayakar and Partners, for Petitioners in Writ Petition No.7337 of 2025 and for Respondents No.13 to 33 in Writ Petition No.7332 of 2025.

Mr. Aseem Naphade a/w Mr. Sagar Pawar a/w Mr. Meet Sawant i/b K.P. Law Associates LLP, for Respondents No.4,5,6 and 10 in Writ Petition No.7332 of 2025 and Respondent No.2 in Writ Petition No.7337 of 2025.

Mr. Suresh Sabrad a/w Mr. Jeetendra Sachdev i/b Mr. Vinod Sangvikar, for Respondent No.5 in Writ Petition No.7337 of 2025 and Respondent No.34 in Writ Petition No.7332 of 2025.

Mr. A.A. Alaspurkar, A.G.P, for Respondents No.1 to 3 – State in Writ Petition No.7332 of 2025 and for Respondent No.1 in Writ Petition No.7337 of 2025.

.....

**CORAM : G.S. KULKARNI &
ARIF S. DOCTOR, J.J.**

DATE : 16th JUNE, 2025.

P.C:

1. On the backdrop of the earlier hearing of the present proceedings, the parties are before us today to tender Consent Minutes of the Order dated 16th June, 2025. A consensus is reached between the parties in regard to the vacating of the tenements by the petitioners in Writ Petition No.7337 of 2025 and handing over the possession of their tenements within two months for the purpose of re-development and other issues.

2. We have perused the Consent Minutes of the Order. In the facts of the case, it is fair settlement between the parties. The Consent Minutes of the Order are signed by the Advocates for the parties viz: Advocate for the petitioners, Advocate for Respondent No.2, Advocate for Respondent No.3, Advocate for Respondent No.4 and Advocate for Respondent No.5 in Writ Petition No.7337 of 2025 and Advocate for the petitioner, Advocate for Respondents No.2 to 12, Advocate for Respondents No.13 to 33 and Advocate for Respondent No.34 in the second Writ Petition No.7332 of 2025. We accordingly take the Consent Minutes of the Order on record and mark "X" for identification.

3. Learned Counsel for the parties have also fairly stated that their respective clients are agreeable for disposing of the proceedings in terms of the Consent Minutes of the Order as tendered.

4. We may also note that respondent No.5 would now be required to undertake the development for which it is stated that the plans have already been submitted to respondent No.2 – Panvel Municipal Corporation. A ‘commencement certificate’ would now be required to be issued expeditiously by the Panvel Municipal Corporation, in accordance with law considering that majority of the members of the society i.e 108 members are already out of their premises, having vacated their respective tenements for the purposes of re-development. The petitioners in Writ Petition No.7337 of 2025, 21 members would be vacating their respective tenements within a period of two months. Respondent No.2 – Panvel Municipal Corporation is required to act swiftly in processing the plans. We accordingly direct the Panvel Municipal Corporation to issue a commencement certificate in accordance with law as expeditiously as possible and, in any event, within a period of one month from today. In the event, for any reason approval of the plans and issuance of commencement certificate is being delayed beyond such period of one month, liberty to the Panvel Municipal Corporation to apply to the Court.

5. Needless to observe that the developer would be required to comply with all the requirements, in the event of any deficiency in the plans/proposal of the developer is found, the same be informed to the Developer by the Panvel Municipal Corporation within ten days from today so that necessary steps can be taken by the developer to remove such deficiencies. All contentions of the parties in this regard are expressly kept open.

6. We accept all these statements which are made in the Consent Minutes of the Order as an undertaking to the Court.

7. The Petitions are accordingly disposed of in terms of the Consent Minutes of the Order.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]