



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8378 OF 2025

Sushama Sadanand Jadhav Throu. ... Petitioner
C.A Rupes Mahesh Jadhav

V/s.

The State Of Maharashtra Throu. ... Respondents
Govt Pleader And Ors

Mr. A.V. Bobade I.by J.H. Ramugade with P.G. Chandeliya, for the petitioner.

Ms. S.D. Chipade, AGP, for the State.

Ms. Manisha Jagtap, for the MHADA.

CORAM : N.J. JAMADAR, J.

DATE : 13TH OCTOBER 2025.

PC:

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order dated 16th December 2019, passed by the Estate Manager, MHADA whereby the Estate Manager revoked, the transfer of the tenement in favour of the petitioner and continued the registration of the tenement in the name of Smt. Vasanti Sadanand Jadhav, the original allottee and the mother of the petitioner.
3. The learned counsel for the petitioner invites attention of the Court to an earlier order dated 30th November 2019, whereby the Joint Chief Officer, MHADA had directed that the tenement be transferred in

the name of Smt. Vasanti Sadanand Jadhav, the original allottee, by canceling the transfer in the name of the petitioner. The said direction was subject to the final decision in the Short Cause Suit No. 2091 of 2015 instituted by Mahesh Jadhav (R-5), the brother of the petitioner.

4. The learned counsel for the petitioner submitted that the order dated 16th December 2019 was passed in the teeth of the order passed by the Joint Chief Officer, MHADA on 30th November 2019. Therefore, the impugned orders are required to be quashed and set aside.

5. A correct reading of the impugned orders would indicate that the respondent no. 1 ordered the restoration of the registration of the tenement in the name of the original allottee, in the wake of the dispute between the petitioner and the respondent no. 5. The orders were made expressly subject to final orders that may be passed in the civil Suit instituted by the respondent no. 5.

6. In these circumstances, the appropriate course would be to adjudicate the rights of the parties in regard to the succession to the estate left behind by the mother of the petitioner and the respondent no. 5 and decide the suit as expeditiously as possible.

7. Therefore, the petition stands disposed with a request to the learned Judge, City Civil Court, seized with Short Cause Suit No. 2091 of 2015, to adjudicate the said suit as expeditiously as possible and, preferably, within a period of one year from the date of communication of this order.

8. It is clarified that, this Court has not entered into merits of the matter and the learned Judge is requested to adjudicate the suit on its

own merits and in accordance with law.

(N.J. JAMADAR, J)