

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12157 OF 2025

Percy F. Patel and anr. ...Petitioners

Versus

Appellate Authority and ors. ...Respondents

WITH

INTERIM APPLICATION NO. 11848 OF 2025

SANTOSH
SUBHASH
KULKARNI

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Mr. Vaibhav Ghogare, a/w Manish Singh, Suraj Ghogare and
Sarvesh Gawade, for the Petitioners.

Mrs. M. S. Srivastava, AGP for the State.

Mr. Adnan Mookhtiar, a/w Mohsin A., for Respondent No.3.

CORAM: N. J. JAMADAR, J.

DATED: 22nd SEPTEMBER, 2025

Oral Order:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 5th August, 2025 passed by the Appellate Authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. Mr. Ghogare, the learned Counsel for the petitioner, submits that, the order passed by the Maintenance Tribunal on 3rd October, 2024 and affirmed by the Appellate Authority was implemented on 13th September, 2025. The learned

Counsel submits that, the belongings of the petitioner are still lying in the subject premises.

4. Having heard the learned Counsel for the parties and in view of the subsequent developments, there is no propriety in entertaining the petition, at this stage.

5. The learned Counsel for petitioners submits that, the petitioners be permitted to take back their belongings from the subject premises.

6. The learned Counsel for respondent No.3 – senior citizen submits that respondent No.3 – senior citizen is not averse to the petitioners taking back their belongings from the subject premises.

7. The petitioners are permitted to collect their belongings from the subject premises on 26th September, 2025 between 10 am to 12 noon.

8. Respondent No.3 – senior citizen shall render the necessary cooperation to the petitioners in collecting their belongings from the subject premises.

9. The Senior PI, Kalachowki Police Station, is requested to depute a team of police officers/constables, of appropriate strength, to be present at the subject premises when the

petitioners will collect their belongings from the subject premises. An inventory of the articles taken by the petitioners from the suit premises be prepared.

10. Subject to the aforesaid directions, the petition stands disposed.

11. In view of disposal of the petition, IA/11848/2025 also stands disposed.

[N. J. JAMADAR, J.]