

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

**CONTEMPT PETITION NO. 606 OF 2025
IN
WRIT PETITION NO. 11191 OF 2017**

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Siddappa Y Kusugal & Anr. ...Petitioners
Versus
Tridhaatu Realty and Infra Private Limited & Ors. ...Respondents

Mr. Aman Saraf a/w Adv. S. Tilokchandani, Adv. Divya Barot i/b Manilal Kher Ambalal & Co. for the Petitioners.
Ms. Anchita Nair for Respondent Nos. 1 to 5 / Developer
Mr. Chaitanya Bhandarkar i/b. Numen Law Officer for Respondent No.6 / Society

CORAM : M. M. SATHAYE, J.

DATED : 18th SEPTEMBER 2025

P.C.:

1. Pursuant to the earlier order dated 16/09/2025, the parties to the Petition (members, developer and society) have agreed to following clause to be incorporated in Permanent Alternate Accommodation Agreement (PAAA). The said agreed clause reads as under:

“4. Obligation of the member:

(a) The Member agrees, declares and confirms that the Member shall bear and pay proportionate share of all taxes and outgoing in respect of the New Building in which the said New Premises have been allotted to the Member subject to what is agreed upon the clause 7 and 10 of the consent terms dated 19th September 2024.”

2. Learned Advocate for the parties further state on instructions of the respective clients, that necessary PAAA in respect of both the Petitioners

shall be executed and registered within a period of two weeks from today and the possession of the concerned flats shall be handed over on the date of registration. Statement accepted.

3. In view of the aforesaid agreement reached between the parties and statement made, I see no reason to keep this contempt petition pending.

4. The contempt petition is **accordingly disposed of** by clarifying as under :

4.1) That authorities before whom the dispute between the society and the Petitioners about recovery of maintenance amount, is pending, shall decide the said dispute independently in accordance with law without being influenced by the fact that the Petitioners are being put in possession under PAAA document to be executed within a period of two weeks from today. Rival contentions of all parties are kept open in that regard.

4.2) It is further clarified that the amounts stated in the Clause 7 of the Consent Terms shall be adjusted as credit amounts by the society towards future maintenance bill/s of the Petitioners i.e. after the date of consent terms.

5. Stand over to 09/10/2025 for reporting compliance.

(M. M. SATHAYE, J.)