

Rekha Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10509 OF 2025
IN
WRIT PETITION NO. 4217 OF 2025

Akshay Arvindbhai Shah & Anr ...Applicants

IN THE MATTER BETWEEN

Aditya Birla Housing Finance Ltd & Ors ...Petitioners

Versus

State of Maharashtra and Ors. ...Respondents

Mr. Bhavesh Magam, for the Applicant in IA No. 10509 of 2025
and for the Respondent Nos. 3 and 4 in WP No. 4217 of
2025.

Ms. Megha Gupta a/w Lavanita Chityala, Shreya Gupte, Harsh
Agarwal i/b Hedgehog and Fox LLP for the Petitioners.

Ms. Ashwini A. Purav, AGP, for the Respondent Nos. 1, 2 and 6.

CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.

DATED: 20th AUGUST 2025.

PC:-

1. Ms. Megha Gupta, learned Counsel appearing for the petitioners, submits that notwithstanding the specific directions and observations contained in the order dated 5th August, 2025, passed by this Court in Interim Application No. 10509 of 2025 arising out of Writ Petition No. 4217 of 2025, neither has the applicant voluntarily handed over the possession of the shop room nor has the Tahasildar of the area taken any step to handover the

vacant possession of the shop room to the petitioner. Under such circumstances, further direction is required to be issued by the Court in the matter.

2. Responding to the above, Ms. Purav, learned AGP, appearing for the State, submits that due to inclement weather condition, flood situation prevailing in different parts around Pune as well as Red Alert declared in Pune, the concerned officer could not visit the site for carrying out the directions passed by this Court. She has, however, assured this Court that within Monday i.e. 25th August, 2025, the vacant possession of the shop room will be handed over to the petitioner.

3. Mr. Magam, learned Counsel for the applicant, has also submitted that his client would have no objection in handing over the possession of the property to the petitioner.

4. By taking note of such submissions, we direct this matter to be listed again on **25th August, 2025**, in the 'Supplementary Board'.

5. Learned Counsel for the respondent No.3 to call for a report, indicating the action taken in the matter, by the concerned Tahasildar.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)