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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2489 OF 2024

Raj Bhojwani & Ors.

...Petitioners

Versus

The learned Divisional Joint Registrar

...Respondent

Mr. Janak Dwarkadas, Senior Advocate, Mr. Ankit Lohia and Mr. Ishvedra Tiwari i/b. Sonal Doshi and Co. for the Petitioners.

Mr. Mohit Jadhav, Addl G.P. for Respondent Nos.1 and 2.

Mr. Ravindra Kadam, Senior Advocate with Mr. N.N. Bhadrashete i/b. Ms. Priyanka Bhadrashete for Respondent Nos.3 and 7.

Mr. Darius Khambata, Senior Advocate with Mr. Nirav Shah and Mr. Damodar Desai i/b. Little and Co. for Respondent No.8.

Mr. Mayur Khandeparkar, i/b. Mr. Arjun Lingalod for Respondent Nos. 9 to 13.

CORAM : R.I. CHAGLA J.

DATE : 11TH FEBRUARY, 2025.

ORDER :

1. Mr. Janak Dwarkadas, the learned Senior Counsel appearing for the Petitioners on instructions states that the Writ Petition may be allowed to be withdrawn with liberty to file Revision Application / Appeal before the Respondent No.1 – the learned

Divisional Joint Registrar impugning the orders passed by the Respondent No.2. He has stated that the ad-interim Order dated 8th November, 2023 which had directed the Respondent No.8 – Society not to take any decision / steps regarding the redevelopment of the subject building till this Writ Petition is heard for admission on the next adjourned date be continued for a period of six weeks for the Respondent No.1 to hear and dispose of the Revision Application / Appeal. The statement is accepted.

2. By accepting the above statement, it is made clear that this Court has not gone into merits of the Writ Petition. The continuation of the said ad-interim Order dated 8th November, 2023 has been sought for by Mr. Dwarkadas only for a period of six weeks for the Respondent No.1 – the Divisional Joint Registrar to hear and dispose of the Revision Application / Appeal. Further, in the event the Respondent No.1 – the Divisional Joint Registrar is unable to conclude the hearing and pass order within the said period of six weeks, liberty is granted to the Petitioners to apply for continuation of this interim protection and which shall be considered by the Respondent No.1 – the Divisional Joint Registrar on its own merits and without being influenced by this Order.

3. Accordingly, by consent of parties, the Writ Petition is allowed to be withdrawn by the Petitioners with liberty to the Petitioners to file Revision Application / Appeal before the Respondent No.1 – the Divisional Joint Registrar and for the Respondent No.1 to endeavour to conclude the hearing and disposal of the Revision Application / Appeal within a period of six weeks from today.

4. Needless to state that the parties to the Writ Petition shall cooperate with each other in hearing and disposal of the Revision Application / Appeal by the Respondent No.1 – the Divisional Joint Registrar within the stipulated period of six weeks.

5. The Writ Petition is accordingly disposed of as withdrawn with liberty as prayed.

[R.I. CHAGLA J.]