

Prajakta Vartak

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

WRIT PETITION NO. 1306 OF 2025

M/s. ISA Enterprises

...Petitioner

Vs

The Chief Officer, M.B.R.R. Board,
MHADA Unit & Anr.

...Respondents

Mr. Shekhar Ingawle i/b. Mr. A. K. Kharwar for Petitioner.

Mr. P. G. Lad with Ms. Aparna Kalathil and Ms. Sayli Apte for Respondent No.1.

Ms. Manisha Gawde, AGP for Respondent No.2.

Ms. K. H. Mastakar i/b. Ms. Komal Punjabi for BMC/Respondent Nos.3 & 4.

Mr. Ashish Fulzele, Sub-Engineer (B&F), G South Ward present.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.
DATE: 17 JUNE 2025.

P.C.

1. Stand over to **23 June 2025 (H.O.B.)** as we accept the statement as made by Mr. Lad, learned counsel for MHADA that the MHADA would issue a No Objection Certificate. *Prima facie* we are of the opinion that the stand taken by MHADA is contrary to the decision of this order and in fact amounts to over reaching the orders passed by the Court on 16 November 2022 on a batch of writ petitions being Writ Petition No.275 of 2020 (Abdul Razzak AK Fitwalla & Ors. vs. ISA Enterprises & Ors.) alongwith connected writ petitions.

2. Insofar as the Municipal Corporation is concerned, we direct the Municipal Corporation not to take any coercive action till the adjourned date of hearing.

3. Let reply affidavit to this petition be placed on record.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)