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

WRIT PETITION NO. 2611 OF 2025

Borivali Himkanya CHS Ltd.

...Petitioner

Versus

Maharashtra Housing and Area  
Development & Ors.

...Respondent

Mr. Jagan Ara Sarkhot i/b. Devashree Raut for Petitioner.

Mr. Akshay Shinde for Respondent No. 1 & 2.

Mr. Rahul S. Agarwal, Intervener in person.

CORAM: G. S. KULKARNI &  
AARTI SATHE, JJ.

DATE: 8<sup>th</sup> DECEMBER 2025

P.C.

1. Documents are recently submitted on behalf of the Petitioner for grant of N.O.C. by MHADA. It is stated by Mr. Shinde, learned Counsel for Respondent Nos. 1 and 2, on instructions that on verifying the said documents, N.O.C. will be issued within ten days.

2. Insofar as the dispute between the Petitioner Society and the Intervener, Mr. Rahul Agarwal, is concerned, the learned Counsel for the Petitioner, as also Mr. Rahul Agarwal, who is present in Court, state that the matter stands resolved, as the parties have arrived at a settlement. A Demand Draft of Rs. 93,000/- has been handed over by Mr. Rahul Agarwal to the Advocate for the Petitioner, which will fully resolve the dispute regarding the pending arrears of maintenance. The said Demand Draft has been accepted by the Chairman Mr. N. Nivekar, Secretary Mr. Krishnakant Narkar, and Committee Member Mr. Deepak Nawale, all of whom are present in Court and have been identified by the Advocate for the Petitioner.

3. In this view of the matter, the dispute between the parties is now resolved. The Society shall proceed to enter into the PAAA with Ms. Karma Agarwal and Mr. Rahul Agarwal at the time such agreements are executed with other members of the Petitioner Society. We accept the statement made by Mr. Sarkhot, on instructions of the Office Bearers of the Society, in this regard. The Office Bearers of the Society are present in Court.

4. At this stage, we may also record that Mr. Rahul Agarwal has stated that he does not oppose the redevelopment and will render full cooperation to the Society in this regard. The said statement is accepted.

5. Stand over to 17<sup>th</sup> December 2025.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)