

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2989 OF 2025

M/s. Alif Enterprises & Anr. ... Petitioners.

V/s.

Municipal Corporation of
Gr. Mumbai & Ors. ... Respondents.

Mr. Chetan Kapadia, Senior Advocate a/w. Mr. Pradeep Thorat, Mr. Kausar Banatwala, Mr. Somil Gada, i/b. Tushar Goradia Advocates, Advocate for Petitioners.

Ms. Vaishali Ugale i/b. Ms. Komal Punjabi, Advocate for Respondent – BMC.

Mr. Atul Vanarse, AGP for Respondent-State.

Mr. Mahadeo Salunke, Admn. Officer (Estate).

Mr. Prashant B. Pocchi, Section Officer, UD-2.

CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.

DATE : 9TH SEPTEMBER, 2025

P.C. :

1. We have heard Mr. Chetan Kapadia, the learned Senior Advocate for the Petitioners, Ms. Vaishali Ugale, the learned Advocate for the Respondent Corporation and Mr. Atul Vanarase, the learned AGP for the Respondent State.

2. With their assistance, we have perused the voluminous record placed before us. There is no dispute that the Corporation wrote to the Urban Development Department on 13.10.2020, seeking permission to execute the lease for 30 years between the Corporation and the Petitioners. A reminder was sent on 24.3.2022 and the last reminder is dated 4.12.2023.

3. The learned AGP submits on instructions from Mr. Prashant B. Pochhi, Section Officer, Urban Development Department that the said Department would convey its decision to the Corporation in such a time line which this Court may grant.

4. Considering the lapse of almost 5 years, we direct that the Urban Development Department will take a decision on or before 30th September, 2025 and ensure that its decision is conveyed to the Corporation via email. The Corporation shall thereafter adopt appropriate steps in the light of the Tripartite agreement dated 25th September, 2003 between the Corporation, Society and the Developer.

5. The learned Advocate for the Corporation submits on instructions from Mr. Mahadeo Salunke, Administration Officer (Estate)

of the Corporation that, considering the decision of the UDD, the lease agreement would be executed on or before 31st October, 2025 with the Petitioners.

6. We record the above statements with the rider that if the said timeline is missed, we would be initiating appropriate action against the Commissioner and the Officer who has briefed the learned Advocate to make the statements.

7. In view of the above, this **Petition is disposed off.**

8. For recording **compliance**, this disposed of Petition shall be listed before the Court on **7th November, 2025.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)