

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

WRIT PETITION NO. 3457 OF 2025

ISON Builders LLP & Anr.

... Petitioners

versus

Municipal Corporation of
Greater Mumbai & Ors.

... Respondents

...

Mr.Aseem Naphade with Mr.Chirag Sarawagi i/b. Mr.Tushar A. Goradia for
the Petitioners.

Mr.Ashwin Sakolkar with Mr.S.V.Tondwalkar i/b. Komal Punjabi for the
Respondent – Municipal Corporation.

Mr.Ashish Kamat, Senior Advocate with Mr.Dhiren Durante, Mr.Dev
Bhankharia and Mr.P.Kashyap i/b. Lexicon Law Partners for Respondent
No.6.

...

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 23rd September, 2025

P.C.:-

1. The Petitioners have put forth prayer clauses (a) and (b), which
read as under :

*“(a) That this Hon'ble Court be pleased to issue a
Writ of Mandamus or a Writ in the nature of
Mandamus or any other appropriate Writ, Order or
direction under Article 226 of the Constitution of*

India, directing the Respondent Nos.1 to 5 to forthwith issue the Annexure II and further permissions/approvals in respect of the redevelopment of the said property i.e.. D/8, Gandhinagar Dainik Shivner Junction and Manjrekar Lane, Lower Parel (West), Worli, G/South Division, Mumbai-400 013 under the extent of the Development Control Regulations and policies within a time bound manner;

(b) That this Hon'ble Court be pleased to issue a Writ of Mandamus or a Writ in the nature of Mandamus or any other appropriate Writ, Order or direction under Article 226 of the Constitution of India, directing Respondent Nos.1 to 5 to forthwith decide the Petitioner No.1's representation dated 12th December 2024 being Exhibit "LL" hereto”.

2. The learned Advocate for the Municipal Corporation submits that certain formalities have to be completed before the Municipal Corporation arrives at a decision as to whether permissions/approvals in respect of the redevelopment of the property, i.e., D/8, Gandhinagar, Dainik Shivneri Junction and Manjrekar Lane, Lower Parel (West), Worli, G/South Division, Mumbai–400013, can be issued. He is under instructions to state that since certain formalities need to be completed, a decision cannot be arrived at today.

3. When called upon to clarify as to whether the Municipal Corporation would write to the Petitioners and apprise them of any

impediments, the learned Advocate submits that, if the Court directs, the Municipal Corporation would furnish such a list of impediments, if any. If all requirements are found to be in accordance with law, steps for the issuance of permissions/approvals would be undertaken.

4. Respondent No.6 is the proposed cooperative housing society that entered into a Development Agreement with Petitioner No.1, in 2014. However, with the passage of time, certain issues have arisen that need to be resolved between Respondent No.6 and the Petitioners.

5. The learned Advocate for Respondent No.6 submits that whatever decision the Municipal Corporation may take, should be without prejudice to the rights of Respondent No.6.

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

7. Let the Municipal Corporation intimate Respondent No.1 and/or Respondent No.2, by 31st October, 2025 as to whether the concerned approvals are likely to be issued. If there are any impediments, the same shall be pointed out to the Petitioners. We make it clear that if the timeline indicated by us, is not honoured, the Petitioners would be at liberty to allege Contempt of Court against the Commissioner of the Municipal Corporation.

8. Needless to state, this exercise would be without prejudice to the rights and contentions of the Petitioners and Respondent No.6. In the event any adverse decision is arrived at by the Municipal Corporation, the Petitioners would be at liberty to avail of a remedy as may be permissible in law.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)