

Prajakta Vartak

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

WRIT PETITION NO. 2611 OF 2025
WITH
INTERIM APPLICATION NO. 3280 OF 2025

Borivali Himkanya CHS Ltd.

...Petitioner

Vs

Maharashtra Housing & Area Development
Act & Ors.

...Respondents

Ms. Jahan Ara Sarkhot i/b. Ms. Devashree Raut for Petitioner.
Mr. Akshay Shinde for Respondent Nos.1 & 2/MHADA.
Dr. Sanjay Chaturvedi for Respondent No.4.
Mr. Rahul Agrawal, Intervener in person.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 10 NOVEMBER 2025.

P.C.

1. On 30 September 2025, we had passed a detailed order. In pursuance of the said order, Mr. Shinde, learned counsel for MHADA informs the Court that the demarcation as also the process of verification of the consent has already been undertaken and that within a period of 25 days from today, a No Objection Certificate would be issued to the petitioner to undertake the redevelopment, which is long awaited. We accept the statement as made by Mr. Shinde.

2. Needless to observe that the Court has already observed in the order dated 30 September 2025 that the petitioner is now intended to undertake redevelopment by appointing its own developer. Mr. Shinde submits that the petitioner would be entitled to do so.

3. To enable MHADA to complete the said formalities, we adjourn the proceedings to **08 December 2025 (H.O.B.)**, so that compliance can be recorded and the petition can be disposed of.

4. Insofar as respondent no.4 is concerned, who is the developer and was appointed by respondent no.3, we cannot adjudicate the rights of respondent no.4 in the present proceedings. All contentions of the said developer against respondent no.3 are expressly kept open to be agitated in the appropriate proceedings.

5. We also accept the statement as made by Ms. Sarkhot, learned counsel for the petitioner that the dispute with the intervener would be resolved. Let a compliance report in that regard be placed on record. We are of the clear opinion that there is no point in the parties agitating the grievances before the Deputy Registrar on this count, when the major issue of redevelopment itself is being confronted by the society.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)