

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

INTERIM APPLICATION NO.3824 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Dirby Raymond Rodrigues
versus
Ravji Bala Natekar and others

Applicant

Respondents

WITH
INTERIM APPLICATION NO.3841 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Emilia Lawrence Rodrigues
versus
Ravji Bala Natekar and others

Applicant

Respondents

WITH
INTERIM APPLICATION NO.3821 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Pascoal Juje Lobo
versus
Ravji Bala Natekar and others

Applicant

Respondents

WITH
INTERIM APPLICATION NO.3842 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Jeetu Tekochand Patel
versus
Ravji Bala Natekar and others

Applicant

Respondents

WITH
INTERIM APPLICATION NO.3822 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Cletty Lionel Vaz
versus

Applicant

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Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3843 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Sebastian Pareira
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3825 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Ramakant Jagannath Vengurlekar
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3844 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Luizamaria Michael Fernandes
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3826 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Suresh Shivram Kaam
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3845 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Ruta Ravindra Varekar
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3846 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Pauline Custodio Pereira
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3828 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Mandar Ramesh Phodkar
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3847 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Mary Santan D'souza
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3829 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Manuel Baptice Rodrigues
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3848 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Wayne Francis Carrapiett
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3831 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Zebeline Godinho

Applicant

versus

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3837 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Gabriel Anthony Dsouza

Applicant

versus

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3816 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Merciana Edward Dsouza

Applicant

versus

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3838 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Prudencia Rosy Barretto

Applicant

versus

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3817 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Francis Manuel Dsouza

Applicant

versus

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION NO.3839 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Vasudeo Shridhar Jadhav
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION (L)NO.33567 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Anthony Gabriel Coelho
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION (L) NO.33572 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Carmeline Dsouza
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION (L) NO.33638 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Swapnil Suresh Velankar
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION (L) NO.33694 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Cecilia Moses Dias
versus

Applicant

Ravji Bala Natekar and others

Respondents

WITH
INTERIM APPLICATION (L) NO.33701 OF 2025
IN
CONTEMPT PETITION NO.4 OF 2020

Ronny Rodrigues and others

Applicants

versus

Ravji Bala Natekar and others

Respondents

Mr.J.M.D'Silva with Jacqueline D'Silva, Sanjana Phodkar and Corina D'Souza for Applicants-Petitioners.

Mr.Prashant G.Karande i/by Mr.Sudam S. Patil for Respondent No.5.

Mr.Tushar Agrawal for Respondent nos.3(a) to 3(d) in contempt petition.

Ms.Sayli Apte with M.Murlidharan i/by P.G.Lad for MHADA.

Smt.Poonam Mital, AGP, for State of Maharashtra, in IA.3824/2025 in COPW.4/2020.

Smt.Anupama Pawar, AGP, for State of Maharashtra, in IA.3841/2025 in COPW.4/2020.

Smt.Fatima Lakdawalla, AGP, for State of Maharashtra, in IA.3821/2025 in COPW.4/2020.

Mr.Vikrant Parshurami, AGP, for State of Maharashtra, in IA.3842/2025 in COPW.4/2020.

Smt.Vrushali Kabre, AGP, for State of Maharashtra, in IA.3822/2025 in COPW.4/2020.

Mr.Suraj Gupte, AGP, for State of Maharashtra, in IA.3843/2025 in COPW.4/2020.

Smt.Gauri Sawant, AGP, for State of Maharashtra, in IA.3825/2025 in COPW.4/2020.

Smt.Manisha Gawde, AGP, for State of Maharashtra, in IA.3844/2025 in COPW.4/2020.

Smt.Varsha Sawant, AGP, for State of Maharashtra, in IA.3826/2025 in COPW.4/2020.

Smt.Rita Joshi, AGP, for State of Maharashtra, in IA.3846/2025 in COPW.4/2020.

Smt.Madhura Deshmukh, AGP, for State of Maharashtra, in IA.3828/2025 in COPW.4/2020.

Shri Akshay Patkar, AGP, for State of Maharashtra, in IA.3847/2025 in COPW.4/2020.

Smt.Usha Rahi, AGP, for State of Maharashtra, in IA.3829/2025 in COPW.4/2020.

Shri Dipesh Siroya, AGP, for State of Maharashtra, in IA.3848/2025 in COPW.4/2020.

Shri Manish Upadhye, AGP, for State of Maharashtra, in IA.3831/2025 in COPW.4/2020.

Shri Himanshu Takke, AGP, for State of Maharashtra, in IA.3837/2025 in COPW.4/2020.

Shri Mohit Jadhav, AGP, for State of Maharashtra, in IA.3816/2025 in COPW.4/2020.

Shri Rakesh Pathak, AGP, for State of Maharashtra, in IA.3838/2025 in COPW.4/2020.

Smt.Gaurangi Patil, AGP, for State of Maharashtra, in IA.3817/2025 in COPW.4/2020.

Smt.Lavina Kriplani, AGP, for State of Maharashtra, in IA.3839/2025 in COPW.4/2020.

Shri Amar Mishra, AGP, for State of Maharashtra, in IA(L).33572/2025 in COPW.4.2020

Smt.Sheetal Mnalvankar, AGP, for State of Maharashtra, in IA(L).33638/2025 in COPW..4/2020.

Mr.Nishgandh Patil, AGP, for State of Maharashtra, in IA(L).33694/2025 in COPW.4/2020.

Smt.Nazia Sheikh, AGP, for State of Maharashtra, in IA(L).33701/2025 in COPW.4/2020.

Shri Prashant Kable, AGP, for State of Maharashtra, in IA(L).33567/2025 in COPW.4/2020.

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

DATE: 17th December 2025

P.C.

1. These Interim Applications pray for a similar relief and hence are being disposed of by this common order. For convenience we note the relief as prayed for in one of the Interim Applications (I.A.No.3824 of 2025 – Dirby Raymond Rodrigues and others Vs. Rajiv Bala Natekar and others), which reads thus :

“(a) That the Prothonotary and Senior Master/Account department of this Hon’ble Court be directed to pay to the Applicant Nos.1 an amount of Rs.4,82,476/- and Applicant Nos.2 an amount of Rs.4,82,477/- shown against the name of Applicants ‘Exhibit-C’ being the unpaid transit rent payable at Rs.16,000/- per month upto 10th August 2024.”

2. As urged before us, a co-ordinate Bench of this Court on Contempt Petition No.4 of 2020 in Writ Petition No.1672 of 2013 passed an order dated 5th July 2024, inter alia, directing Respondent No.5(b) to deposit in this Court the amount of Rs.5 crores towards arrears of transit rent, as also permitted the Petitioners/Applicants to withdraw the amount @ Rs.16,000/- per month. We extract the order dated 5th July 2024 which reads thus :

“1. Mr.Karande based on instructions from Mr.Abhay Mutha-respondent No.5(b) who is present in the Court states that the 5th respondent will deposit in this Court an amount of approximately Rs.5 Crore being arrears of transit rent determined at the rate of Rs.16,000/- (Rupees Sixteen Thousand) per month in respect of the unpaid occupants out of the 67 occupants reflected in the consent terms.

2. In the consent terms, at least prima facie transit rent had to be paid at rates ranging between Rs.22,000/- (Rupees Twenty Two

Thousand) and Rs.25,000/- (Rupees Twenty Five Thousand). However, Mr.Karande points out that in terms of another order made by the learned Single Judge of this Court, directions were issued for payment of the transit rents at the rate of Rs.16,000/- per month to those tenants. He refers to an order made in Appeal from Order No.886 of 2022 along with connected appeals. The issue of the rats on which payments have been made can be considered a little later. However, by accepting the above undertaking given before us and to see whether the 5th respondent complies with this statement made today before us, we post this matter for further consideration on 19th August 2024.

3. Learned counsel for the 5th respondent is requested to give an intimation to learned counsel for the petitioners about the deposit of the amount. Mr.Karande states even a chart would be furnished indicating the entitlement of each of the occupants who are till date unpaid. The petitioners are granted liberty to withdraw the amount i.e. due to them without prejudice to their rights and contentions in terms of this chart. The rest of the amount will continue to remain in this Court.

4. Further, we clarify that the petitioners can withdraw the amount only at the rate of Rs.16,000/- per month."

(emphasis supplied)

3. Accordingly the Respondent no.5(b) had deposited the said amount of Rs.3,66,60,373/- in this Court. Now the amounts are required to be paid to the Petitioners being arrears of transit rent who are Applicants before us. Mr.Karande has placed on record the list of tenants who are 26 in number. The same is taken on record and marked "X" for identification. He submits that the tenants at sr.nos.23, 25 and 26 namely Rony Rodrigues, Swapnil Suresh Velankar and Anthony Gabriel have expired during the pendency of the proceedings and the amount can be withdrawn by their legal representatives subject to furnishing appropriate heirship proof and other relevant documents. Insofar as the tenant at sr.no.5 is concerned namely Vasudeo Shridhar Jadhav is concerned, it is stated that he has never come forward and has never claimed any amount. In other words,

there is no information in regard to the said tenant. Be that as it may, as and when the claim is made by the said tenant or any legal representative, the amount be disbursed by verifying all the credentials.

4. Insofar as other tenants are concerned, in our opinion, subject to the appropriate proofs on identification being taken from them, the Prothonotary & Senior Master of this Court or the Court Officer appointed by him, shall disburse the amounts. The payment of the amounts of arrears of transit rent be made as per the directions of this Court dated 5th July 2024 (supra) as also order dated 24th January 2025. Let such exercise be undertaken within a period of four weeks from today. All contentions of the parties on the quantum and receipt of the said amount are expressly kept open.

4a. That in the case of those tenants who have expired, the legal representatives of the respective tenants would be permitted to withdraw the amount.

5. All Interim Applications are disposed of.

6. Learned Prothonotary & Senior Master shall act on an authenticated copy of this order.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)