IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12874 OF 2026

Shree Gansiddhi Vinayak CHS Ltd. ..Petitioner

Versus

State of Maharashtra & ors. ...Respondents

Mr. Bhavesh Parmar, a/w Mr. Rajesh Sahani, Mr. Pritham Kunvare, i/b Mr. Devmani Shukla, for the Petitioner.

Mr. Cherag Balsara, i/b Mr. A G Revankar & Co., for the Respondent No. 4.

Ms. Tanaya Goswami, for AGRC & SRA.

CORAM : N. J. JAMADAR, J.
DATE : 12th OCTOBER 2026

Oral Order :-

1. Heard the learned Counsel for the parties.

SAINATH SANJAY BODKHE
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2. The challenge in this petition is to an order dated 23rd April, 2026 passed by the Apex Grievance Redressal Committee whereby the SRA has been directed to formalize and implement the purported directions dated 08th June, 2016 issued by CEO, SRA, within four weeks and appoint the Respondent No.4 – Society as developer to complete the said building and also issue necessary permissions in accordance with revised LOI dated 28st October, 2004.

3. By the said endorsement dated 08th June, 2016, the then CEO, SRA had proposed that, the Respondent No.4 – Society deposit with SRA the amount required for construction of amenities (as per PR - about 25,000/- per sq. meters) and also cost of construction of remaining PAP /rehab tenements, if any. Upon compliance of the said direction, it was proposed that, the SRA would allow the Respondent No.4 – Society to construct remaining part of sale component building and obtain the occupation certificate.

4. Evidently, the Respondent No. 4 - Society has filed a writ petition before this Court, being WP No. 49/2019 seeking directions to implement the aforesaid order dated 08th June, 2016 passed by the then CEO, SRA and to transfer the developments rights i.e. Letter of Intent (LOI) in favour of the Respondent No. 4 – Society, in order to complete the redevelopment project, and to issue occupation certificate in respect of the sale component building. The petitioner was a party to the said petition. The petitioner filed an affidavit-in-reply opposing the prayers in the said petition.

5. It appears that, in the year 2026, while the said petition awaits adjudication, the Respondent No.4 has filed an application before the AGRC seeking substantially the same

reliefs which are sought in WP/49/2019. However, the petitioner was not impleaded as a party respondent to the said miscellaneous application. Eventually, the AGRC has passed the impugned order.

6. When the Court expressed its view that, the Respondent No. 4 could not have approached the AGRC, without disclosing the pendency of the WP/49/2019 before this Court wherein the identical reliefs are claimed, Mr. Balsara, the learned Counsel for Respondent No.4, submits that, the impugned order may be quashed and set aside and the Misc. Application be restored to the file of AGRC for afresh decision in accordance with law.

7. Having regard to the nature of the controversy and in view of the aforesaid submission, the impugned order dated 23rd April, 2026 in Appeal No. 55/2026 stands quashed and set aside.

8. The Appeal No. 55/2026 stands restored to the file of AGRC.

9. The Respondent No.4 shall carry out the necessary amendment in the said Misc. Application/Appeal so as to specifically disclose the pendency of WP/49/2019 in this Court and also implead the petitioner herein as a party respondent to the said proceeding, within a period of one week from today.

10. The parties, including the petitioner, shall appear before the AGRC on 16th October, 2026.

11. The AGRC is requested to make an endeavour to hear and decide the appeal as expeditiously as possible and, preferably, within a period of 8 weeks thereafter.

12. The Writ Petition stands disposed.

[N. J. JAMADAR, J.]