IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12496 OF 2026

M/s. Vindhyachal Hydro Power Pvt. Ltd. ..Petitioner

Versus

Khed Economic Infrastructure Pvt. Ltd. & Ors. ...Respondents

Ms. Deepa P Chawan, Senior Advocate, Mr. Ravindra R Chile, Ms. Siddhi Dawne, i/b Mr. Prashant Nakati, for the Petitioner.

Mr. Ashish Kamat, Senior Advocate, a/w Mr. Jatin Pore, Ms. Gargi Patil, Mr. Vishal Mandal, Ms. Medha Tiwari, i/b DSK Legal, for Respondent No.1.

CORAM : N. J. JAMADAR, J.
DATE : 01st OCTOBER 2026

SAINATH SANJAY BODKHE
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P.C.:

1. Heard the learned Counsel for the parties.

2. The challenge in this petition is to an order passed by the Maharashtra Water Resources Regulatory Authority ("Regulatory Authority") on 28th July, 2026 in an appeal preferred by the Respondent No.1, being Case No.03/2025, and a *suo motu* corrigendum thereto issued by the Regulatory Authority on 30th July, 2026.

3. A perusal of the impugned order and the order dated 19th January, 2026, passed by the Regulatory Authority, fairly indicates that, the Regulatory Authority initially considered it appropriate to hear the parties and pass an order on the admissibility of the appeal, against the order passed by the Primary Dispute Resolution Officer ("PDRO").

4. However, in the first impugned order dated 28th July, 2026, the Regulatory Authority whilst holding that, the appeal against the order impugned before the Regulatory Authority cannot be admitted, went on to pass directions which were apparently in the nature of modification of the order passed by the PDRO.

5. By the corrigendum dated 30th July, 2026, the Regulatory Authority professed to dispose the appeal, being Case No.3/2025, at the stage of admission with the directions incorporated in clauses (1) and (2) thereof, which were verbatim reproduction of the clauses (1) and (2) in the first order dated 28th July 2026.

6. The grievance of the petitioner is that, though the parties were put to notice that, the appeal would be heard on the point of admissibility, and whilst holding that the Appeal was not maintainable, the Regulatory Authority has passed orders on merits, and no opportunity of hearing was given to the

petitioner when the Regulatory Authority proceeded to *sou motu* review the order dated 28th July, 2026, by way of corrigendum.

7. In these circumstances and having regard to the provisions contained in Section 22(3) of the Maharashtra Water Resources Regulatory Authority Act, 2005 and the pendency of the dispute in regard to lifting of the water from a particular point, it would be expedient that, the Regulatory Authority decides the appeal on merits after providing an efficacious opportunity of hearing to the parties in a time frame so as to resolve the disputes, once and for all.

8. The Writ Petition, thus, stands disposed with the following directions :-

(i) The impugned order dated 28th July 2026 as well as the order dated 30th July 2026, by way of corrigendum, stand quashed and set aside.

(ii) The Appeal, being Case No.3/2025, stands restored to the file of Regulatory Authority.

(iii) The Regulatory Authority is requested to hear and decide the appeal on merits and, in accordance with law, after providing an effective opportunity of hearing to the parties, as expeditiously as possible

and, preferably, within a period of six weeks from the date of communication of this order.

(iv) The Regulatory Authority shall decide the appeal without being influenced by any of the observations made by this Court as well as observations in the impugned order.

(v) All contentions of all the parties are kept open for consideration.

[N. J. JAMADAR, J.]