

Vaishalil Tikam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 18084 OF 2024

VAISHALI
ANIL
TIKAM

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Rahul Arora and Ors.

.. Petitioners

Versus

The State of Maharashtra

Thr. Its. Department of Revenue and Ors.

Respondents

.....
Mr. Vineet Naik, Senior Advocate a/w. Mr. Sameer Pandit a/w. Ms. Krina Gandhi a/w. Mr. Chintan Pasad i/b. Wadia Ghandy & Co., Advocates for Petitioners.

Mr. A.R. Deolekar, AGP for State.

Ms. Miinal Jaiwant Chandnani, Advocate for Respondent No.3.

Mr. Sham Thakur h/f. Tukaram Shendge, Advocate for Respondent No.3.

Mr. V.R. Kasle, Advocate for Respondent No.12.

Mr. Mani Thevar a/w. Mr. Atharva Utekar i/b. Ganesh & Co., Advocates for Respondent Nos. 13 to 26.

.....
CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 12, 2026

P.C.:

1. Heard Mr. Naik, learned Senior Advocate for Petitioners, Mr. Deolekar, learned AGP for State, Ms. Chandnani and Mr. Thakur, learned Advocates for Respondent No.3, Mr. Kasle, learned Advcoate for Respondent No.12, Ms. Thevar, learned Advocates for Respondent Nos. 13 to 26.

2. Today, the Writ Petition cannot be heard because there is a bereavement in the family of the arguing counsel of Respondent No.3. Therefore, the holding Advocate persuades the Court to adjourn the matter by one week.

3. Be that as it may, Mr. Naik, learned Senior Advocate appearing for the Petitioners would not object to the adjournment but there is a grievance in view of the previous orders dated 13/12/2024 [Coram: Sharmila U. Deshmukh, J.] and 06/05/2025 [Coram: Sandeep V. Marne, J.] having been passed by this Court and the impugned order having been stayed. According to his instructions, the Petitioners' apprehension have turned out to be true. He would submit that the first order was passed on 13/12/2024 and in regard of the said order, by virtue of a registered conveyance dated 25/03/2025, the private Respondents have dealt with the subject property by registering an agreement for sale. It prima facie appears that the order dated 13/12/2024 stayed the execution till the next date and that is the reason why the said agreement may have been entered into. However, parties should note that once the Court is seized with the matter, taking such steps should always be with the leave of the Court. Otherwise, they prejudice the rights of the parties. Prima facie, it is also seen that after the order dated 13/12/2024 was passed, the said order was continued further by a Farad order dated 14/01/2025 till next date. Thereafter the matter appeared on 06/05/2025 when the said order was further continued and in between these dates on 25/03.2025, the private Respondents have executed the registered agreement for sale.

4. Mr. Naik desires to place on record additional affidavit, the

same is taken on record and he is directed to give a copy of the same to all the Advocates appearing for the Respondents. He informs the Court that copy of the said affidavit is already placed in the hand of the Advocates for the Respondents including the Government Pleader.

5. Considering the pendency of the present Petition and the Court having been seized with the matter, the Respondents shall accordingly apprise the Court on the next adjourned date about the aforesaid issue. Further all concerned parties including the Government shall restrain from taking any steps in furtherance of the registered agreement for sale and if all any party desires to take any steps, they shall seek leave of this Court.

6. Considering the lis in the present matter and the rival contentions which have been voiced by the learned Advocates before me today, it would be appropriate if Mr. Deolekar, learned AGP place before the Court the Roznama of the proceedings to enable the Court to ascertain as to how the trajectory of the proceedings and the hearings had taken place before the Statutory Authority. Let the same be placed on affidavit.

7. Let the affidavit be filed within two weeks from today. Rejoinder, if any, within one week thereafter.

8. List the Petition on 03/02/2026.

[MILIND N. JADHAV, J.]