

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 16678 OF 2025

Ashtavinayak Residency Cooperative
Housing Society Ltd.

... Petitioner

versus

Mumbai Metropolitan Region Development
Authority and Others

... Respondents

...

Mr.Priyank Kapadia with Mr.Nitin Wadkar and Mr.Prashant Nakti i/b.
Legal Links for the Petitioner.

Mr.Akshay P. Shinde for the Respondent – MMRDA.

Mrs.M.P.Thakur, AGP for Respondent No.6, State.

...

**CORAM : RAVINDRA V. GHUGE &
ABHAY MANTRI, JJ.**

DATE : 09 MARCH, 2026

P.C:

1. The learned Advocate for the Petitioner, on instructions, submits that the building plans and building permission were never approved by Respondent No. 1. The landowners, Respondent Nos. 2 to 4, and the builder, Respondent No. 5, approached the Gram Panchayat and started construction of the building, which comprises three buildings with a

total of eight wings, accommodating 104 flat owners and 36 commercial shops. An Application for regularization has been filed and is pending with Respondent No. 1.

2. The builder/Respondent No. 5 had moved an Application for regularization in a haphazard manner and not in accordance with the prescribed procedure. Hence, the same has not been considered by the Mumbai Metropolitan Region Development Authority (MMRDA).

3. The learned Advocate for the MMRDA submits that they would require at least 21 days to pass an order on the Application filed by the Petitioner Society. *Ex facie*, the MMRDA is circumspect as to whether any regularization can be permitted. Since the authorities have a policy of not demolishing properties during the period when such regularization Application is pending consideration, we permit Respondent No. 1 to pass a final order with reasons, on or before 30.03.2026.

4. A copy of the final order shall be served upon the Petitioner at its email address mentioned below :

Email ID :- legallinksadvocates@gmail.com

5. In view of the above, **this Writ Petition is disposed off.**

(ABHAY MANTRI, J.)

(RAVINDRA V. GHUGE, J.)