

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 264 OF 2025
WITH
INTERIM APPLICATION NO. 7759 OF 2025

M/s. Atlantic & Ors.

.. Appellants

Versus

M/s. Shree Sai Developers

.. Respondents

WITH
APPEAL FROM ORDER NO. 324 OF 2025
WITH
INTERIM APPLICATION NO. 12985 OF 2025
WITH
INTERIM APPLICATION NO. 8511 OF 2025

M/s. Atlantic & Ors.

.. Appellants

Versus

M/s. Shree Sai Developers

.. Respondents

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- Mr. Mayur Khandeparkar a/w Mr. Nishant Tripathi a/w Mr. Pranav Vaidya i/by M. Tripathi & Co, Advocates for Appellants in both the Appeals
- Mr. Suresh M. Sabrad a/w Mr. Amey C. Sawant, Mr. Pratik S. Sabrad, Ms. Neha R. Parte & Ms. Eshwaree Kudalkar, Advocates for Respondent Nos. 1 to 3
- Mr. Abubakar Patel i/by Mr. Rahul Kate, Advocates for Respondent Nos. 3 to 6 in AO 264/2025 & for Respondent Nos. 8 to 15 in AO 324/2025
- Mr. S.M. Gorwadkar, Senior Advocate a/w Mr. Jeetendra Sachhdev i/by J.S. Legal, Advocates for Respondent Nos. 4 and 5 in AO 264/2025 & for Respondent Nos. 4 to 7 in AO 324/2025

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 5, 2026

P. C.:

1. Heard learned Advocates appearing for the parties.

2. Mr. Sabrad, learned Advocate for Respondent Nos. 1 to 3 undertakes to file appropriate affidavit in reply setting out the steps proposed to be taken by Respondent Nos. 1 to 3 to apply for sub-division of the consolidated plot of 970 sq.mtrs. to CIDCO to segregate the two plots admeasuring 200 sq.mtrs. and 250 sq.mtrs. which are the subject matter of the Suit proceeding and undertake not to create any third party rights with respect to the same. Since the Suit is for specific performance in the given facts of the present case, aforesaid affidavit is directed to be filed within a period of two days from today and whatever stated in the affidavit shall be complied with by the Defendant Nos. 1 to 3. Copy of the affidavit shall be given to Plaintiffs and other Defendants in advance. Needless to state that the aforesaid statement made by Mr. Sabrad will not affect the balance portion of 520 sq. mtrs. out of the total plot of 970 sq. mtrs.

3. The villagers who are the original owners are represented by Mr. Gorwadkar, learned Senior Advocate appearing for Respondent Nos. 4 and 5 in AO 264/2025 & for Respondent Nos. 4 to 7 in AO 324/2025 as also Mr. Patel, learned Advocate appearing for Respondent Nos. 3 to 6 in AO 264/2025 & for Respondent Nos. 8 to 15 in AO 324/2025. Needless to state that undertaking filed on affidavit by Defendant Nos. 1 to 3 shall specifically give a timeline for making the application for sub-division of the consolidated plot, to separate 450 sq. mtrs. out of

the total consolidated plot and comply with all all requisition of CIDCO as well as under the Navi Mumbai Disposal of Land Regulations, 2008 under which allotment of plots has been made.

4. Stand over to 7th January, 2026. To be placed under the caption "First on Board".

Amberkar

[MILIND N. JADHAV, J.]

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