

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 531 OF 2025
WITH
INTERIM APPLICATION NO. 12207 OF 2025
IN
APPEAL FROM ORDER NO. 531 OF 2025

Mr. Bipichandra P. Seth And Anr. ...Appellants

Versus

M/S. D. R. Properties And Ors. ...Respondents

Mr. Sarthak Shah, for the Appellants.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : June 11, 2026

P. C. :

1. The Appeal has been preferred against the order dated 8th April, 2025 rejecting the prayer for ad-interim relief.
2. Perusal of the order would indicate that the Trial Court was swayed by the fact that the name of the Plaintiff was kept in abeyance by MHADA in the certified list of tenants. In view of the said position, the Trial Court thought it fit not to stall the process of re-development when most of the occupants have vacated their respective tenants.
3. The grievance of learned counsel for the Appellants is that subsequently, though the name of the Plaintiffs has been certified by MHADA, the Respondent No. 1-developer has not entered into a PAAA

agreement and demolition is already completed.

4. The partner of Respondent No. 1-developer is present in Court and he submits that the Permanent Alternate Accommodation Agreement ("**PAAA**") will be signed with the Plaintiffs, subject to the outcome of the suit, which is pending before the Small Causes Court for the purpose of eviction.

5. This Court is also informed that the Notice of Motion is listed for hearing before the Trial Court. Considering the subsequent development of the Plaintiffs being certified as tenants by MHADA, the Appellant is permitted to file additional affidavit in the pending Notice of Motion before the Trial Court placing the said fact on record. The Trial Court is requested to decide the relief sought by the Plaintiff which is now confined to execution of PAAA agreement and payment of rent.

6. Considering that the Appellant is a senior citizen, the Trial Court is requested to decide the application expeditiously.

7. All rights and contentions of both the parties are expressly kept open. Appeal from Order is disposed of in the above terms.

8. Interim Application does not survive for consideration and stands disposed of.

[SHARMILA U. DESHMUKH, J.]