

Sayali

SAYALI
DEEPAK
UPASANI

Digitally signed by
SAYALI DEEPAK
UPASANI
Date: 2026.01.27
17:31:36 +0530

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

WRIT PETITION NO. 952 OF 2026

Samir Narain Bhojwani ... Petitioner
V/s.
The Assistant Registrar C. S. and Others ... Respondents

**WITH
WRIT PETITION NO. 954 OF 2026**

Samir Narain Bhojwani ... Petitioner
V/s.
The Assistant Registrar C. S. and Others ... Respondents

Mr. S. U. Kamdar, Senior Advocate i/b Ms. Ritika Rajeev, for
Petitioner in both Petitions.

Mrs. Pooja Patil, AGP, for State.

Mr. Kedar Nhavkar h/f Mr. Vishwanath Patil, for Respondent
Nos. 1 & 4 (SRA)

Mr. Prashant P. Kulkarni with Ms. Rachna M., for
Respondent No. 3.

Prateek Seksaria, Senior Advocate, Nishant Chothani,
Bharatkumar Jain, Raj Adhia, Sanjay Maji i/b Economic
Laws Practice, for Respondent nos. 2(a) to 2(c).

CORAM : AMIT BORKAR, J.

DATED : JANUARY 27, 2026

P.C.:

1. The only grievance raised in the Petition is that though the earlier judgment delivered by this Court in WP No. 16634 of 2025, by judgment dated 12th December, 2025, which is followed by the Revisional Authority, he failed to clarify the legal position as clarified by this Court in paragraph No. 20.

2. In my opinion, the clarifying such position will not affect the rights of the parties as the said clarification operates only if the contingencies stated in the clarification operationalises. Hence, in addition to the judgment and order impugned in the present Petition, the following clarification is issued, which reads as follows:-

“If the petitioner ultimately succeeds in the arbitration or on any appeal under the Arbitration and Conciliation Act and thereby establishes a right, title or interest enforceable against the vendor or against respondent No.2 in respect of the flat, the successful outcome in those proceedings will govern the rights and obligations of the parties and the society”.

3. The writ petitions are disposed of.

(AMIT BORKAR, J.)