

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4225 OF 2026

Pranab Chatterjee & Anr

..Petitioners

Versus

State of Maharashtra and Anr

...Respondents

Mr. Vaibhav Charalwar, with Asha Bhuta and Ansul Bhuta, for the
Petitioner.

Mr. A.A. Nadkarni, AGP, for Respondent No.1

Mr. Satish L Modi, for Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATE : 9th APRIL 2026

ORAL ORDER :

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 22nd December 2025, passed by the Maharashtra Real Estate Appellate Tribunal, Mumbai (“the Tribunal”) whereby the prayer to stay the execution proceeding taken out by the Respondent No.2 to execute the order dated 9th April 2025, passed by the Maharashtra Real Estate Regulatory Authority, Mumbai, (“the Authority”), came to be rejected.
3. By the said order, the Petitioners /Allottees were directed to pay the due amount along with interest prescribed under Rule 18 of the Maharashtra Real Estate (Regulation and Development) (Registration of

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Real Estate Projects, Registration of Real Estate Agents, Rate of Interest and Disclosures on Website) Rules, 2017. The interest was directed to be paid by the Allottees to the Complainant/Promoter from the date the installments became due.

4. When the matter was listed before this Court on 6th April 2026, the learned Counsel for the Petitioners/Allottes, made a statement that the Petitioners were willing to deposit the balance principal amount of Rs.1,02,00,000/- plus an amount of Rs.41,00,000/- towards the interest component.

5. The controversy between the parties revolves around the amount which is due and payable towards principal as well as interest, under the terms of the contract between the parties.

6. As the Appeal awaits adjudication by the Appellate Tribunal and the Petitioners have shown willingness to deposit the aforesaid amount; which is substantial, this Court considers it expedient in the interest of justice to stay the execution and operation of the order passed by the Regulatory Authority dated 9th April 2025, till the hearing and final disposal of the Appeal, subject to the condition that the Petitioners deposit the aforesaid amount fo Rs.1,02,00,000/-, towards principal, and Rs.41,00,000/- towards the interest component, within a period of two weeks, before the Appellate Tribunal.

7. All contentions of all the parties are kept open for adjudication before the Appellate Tribunal.
8. It is clarified that this Court has not entered into merits of the matter and the entitlement of the parties to the amounts under the contract between the parties.
9. Petition disposed.

[N. J. JAMADAR, J.]