

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5527 OF 2026

Abdul Tawwab Naimuddin Khan
& Ors.

... Petitioners

V/s.

Karam Nagari Phase IV B CHS Ltd
& Ors.

... Respondents

WITH
WRIT PETITION NO.5528 OF 2026

Abdul Tawwab Naimuddin Khan
& Ors.

... Petitioners

V/s.

Karam Nagari Phase III CHS Ltd
Through Its Secretary & Ors.

... Respondents

Mr. Akash Warang, for the Petitioners in both WPs.

Mr. Karan M. Vaity, for Respondent No.1 in both WPs.

Mr. A. A. Alaspurkar, AGP, for the State – Respondent
Nos.9 to 10 in both WPs.

CORAM : AMIT BORKAR, J.

DATED : APRIL 27, 2026

P.C.:

1. The petitioners claim to be persons in whose favour the original promoter/owner has conveyed a part of the property. However, the petitioners are not the persons who have constructed or caused the construction of the project in question.

2. In view thereof, the petitioners cannot be termed as “promoters.” The essential grievance of the petitioners pertains to the enforcement of their alleged civil rights. In such circumstances, it would be appropriate for the petitioners to institute a civil suit for enforcement of their rights.

3. Hence, all questions raised in the present petitions are kept open to be agitated in appropriate civil proceedings.

4. Both the petitions stand disposed of. No order as to costs.

(AMIT BORKAR, J.)