

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 2038 OF 2024

Althea Hiren Shah ...Petitioner

Vs.

The State of Maharashtra  
Through the Govt. Pleader ...Respondent

ALONGWITH  
WRIT PETITION NO. 3261 OF 2025

Aruna Subrato Banerjee and Ors. ...Petitioners

Vs.

The State of Maharashtra  
Through the Govt. Pleader ...Respondent

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|                                                                                                    |                                        |
|----------------------------------------------------------------------------------------------------|----------------------------------------|
| Mr. Amrut Joshi a/w<br>Shreejit Singh i/by Shreejit<br>Singh                                       | Advocate for the Petitioners           |
| Adv. Makarand Raut and<br>Adv. Kiran Choudhary                                                     | For Respondent Nos. 5 to 7             |
| Mr. Prashant Kamble<br>AGP in WP 2038 of 2024<br>and Smt. Usha Rahi, AGP<br>in WP No. 3261 of 2025 | for the Respondent Nos. 1 to 3 - State |

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CORAM : M. S. KARNIK AND  
S. M. MODAK, JJ.

DATE : 6<sup>th</sup> JANUARY 2026

P. C. :-

**WRIT PETITION NO. 3261 OF 2025**

1. The learned counsel for the Respondent Nos. 5 to 7 submits that an amount of Rs. 8,15,096/- which were arrears payable in terms of order passed by MahaRERA will be credited to the accounts of the Petitioners during the course of the day.
2. In such view of the matter, nothing survives for further consideration in the present petition.
3. The present petition is disposed of as withdrawn.

**WRIT PETITION NO. 2038 OF 2024**

4. The learned counsel for the Respondent Nos. 5 to 7 fairly submits that total amount due and payable to the Petitioner with agreed delayed interest as on 06.01.2026 is Rs. 54,57,984/-. The Respondent Nos. 5 to 7 have entered into settlement with as many as 150 persons. Even today an amount Rs. 8,15,096/- has been paid to

the one of the Petitioners in companion petition. So far as dues payable to the present Petitioner is concerned, the learned counsel for the Petitioner on instructions submits that due to delay in developing the property, Respondent Nos. 5 to 7 are facing a financial crunch. On instructions, he submits that, however, the first installment of Rs. 10,00,000/- will be paid to the Petitioner by the first week of February 2026. So far as balance amount is concerned the Petitioner to file affidavit within what time the payment will be made. Though there is some resistance on the part of the learned counsel for the Petitioner, in deference to the suggestion of this Court, learned counsel for petitioner agrees to accept this course. Let the matter be listed on **09.02.2026 under the caption for direction.**

(S. M. MODAK, J.)

(M. S. KARNIK, J.)