

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.4295 OF 2025

Delta Heights (Amin Building) Co-operative Housing Society Limited (proposed) and others	Petitioners
versus	
The State of Maharashtra and others	Respondents

Mr.J.B.Mishra with Mr.Ruepsh Dubey i/by Ms.Nilu Mishra for Petitioners.
 MsVarsha Sawant, AGP for Respondent State.
 Ms.Manisha Jagtap for Respondent nos.2 and 3 MHADA.
 Ms.Pushpa Yadav for Respondent no.4-MCGM.
 Mr.M.A.Vaid with Mr.Danish Vaid i/by Vaid & Associates for Respondent no.5.
 Mr.Dhananjay Deshmukh for Respondent no.6.
 Mr.Mohammad Salebhai Nalwala, Petitioner no.2, present in Court.
 Mr.Nadeem C.Y.Shaikh, Petitioner no3, present in Court.

**CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.**

DATE: 24th February 2026

P.C.

1. This petition under Article 226 of the Constitution of India is filed
 praying for the following substantive reliefs :

“(a) this Hon’ble Court be pleased to issue a Writ of Mandamus or any other appropriate writ, direction and order, thereby directing the Respondent nos.2 and 3 to issue No Objection Certificate (NOC) for redevelopment of Amin Building situated at City Survey No.235 of Byculla Division, Plot No.94-100, M.A.Road (Clare Road), Nagpada Junction, E Ward of Mumbai Municipal Corporation, Mumbai-400 008, as per the proposal submitted and pending since the year 2018;

(b) this Hon’ble Court be pleased to direct the Respondent nos.5 and 6 to take appropriate necessary steps to re-develop the Amin Building pursuant to irrevocable consents signed by 100% tenants/occupants of Amin Building and to

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provide permanent as well as temporary alternate accommodation in lieu of their respective premises in Amin Building in accordance with law and subject to eligibility of the tenants/occupants.

2. The proceedings were listed before the Court from time to time. On 16th February 2026 we had passed an order after hearing the parties and recorded an inclination of the parties to settle the disputes. Today, learned counsel for the Petitioners, Respondent nos.5 and 6 and the learned AGP submit that the disputes are resolved and consent terms are being tendered.

3. We have perused the consent terms dated 20th October 2025, which are signed on behalf of the Petitioners as also on behalf of Respondent nos.5 and 6. It is stated that all the partners of Respondent no.6 firm are agreeable to the consent terms and a communication to that effect will be issued to the Petitioners as also place on record of this Court within a period of one week from today. The statement as made on behalf of Respondent no.6 is accepted.

4. The consent terms are signed by the respective parties. There is no dispute on signatures as the signatures are identified by the advocates of the parties. The signatories are present in the Court and identified by the respective advocates. We observe that the MHADA is not a signatory to the consent terms and MHADA to take further steps and issue appropriate No Objection Certificate in accordance with law, as expeditiously as possible and in any event within a period of two weeks from today.

5. Needless to observe that at the time of entering into an agreement, all available original papers shall be handed over in favour of Respondent no.6.

6. Accordingly the consent terms are taken on record and marked “X” for identification.

7. The petition stands disposed of in terms of the consent terms and our above observations. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)