

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

WRIT PETITION NO. 972 OF 2026

Era Realtors Pvt. Ltd. & Anr.

.. Petitioners

Vs.

State of Maharashtra & Ors.

.. Respondents

...

Mr. Shakeeb Shaikh a/w Noorain Patel i/by Diamondwala & Co.,
Advocates for the Petitioners.

Smt. Fatima Lakadawalla, AGP for Respondent Nos.1, 2 and 3-State.

Ms. Sharon Fernandez, Sulaiman Bhimani and Azeem Abdul i/by The
Law Suits, Advocates for Respondent Nos.4 and 5.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 29th APRIL 2026.

P.C. :

Pursuant to the order dated 4th March 2026, a report dated 9th March 2026 has been submitted by the Master & Assistant Prothonotary (Judicial). It is stated in the said report that this writ petition shall be heard by a Bench to which the subject "Civil Writ Petitions not assigned to other Courts of the year 2026" has been assigned.

2. Aggrieved by the recovery notice dated 27th January 2026, the petitioner-Developers have filed this writ petition. Section 267 of the Maharashtra Land Revenue Code, 1966 provides that a notice of demand shall be served on the superior holder or on the person in possession or on both, if any land revenue is not paid at or within, the time when it becomes payable.

3. It is stated at the Bar that pursuant to the decision dated 3rd March 2025 by the Adjudicating Authority under RERA the recovery warrants were issued on 7th November 2025 against the petitioner-Developers. The learned counsel for the petitioner-Developers submits that an appeal against the order dated 7th November 2025 has been filed before the statutory Appellate Authority and the same is pending consideration.

4. According to the learned counsel for the petitioner-Developers, a large sum of money has been withdrawn from the bank account of the petitioner-Developers under the directions of respondent no. 2-Tahsildar and disbursed by the respondents in contravention to the order dated 14th October 2024 passed in Writ Petition (L) No. 30956 of 2024 titled "*Sammaan Capital Ltd. v. The Tahasildar and Executive Magistrate, Borivali & Ors.*". However, having regard to the fact that the impugned recovery notice dated 27th November 2026 has been issued pursuant to the recovery warrants issued on 7th November 2025, we are not inclined to entertain this writ petition. The petitioner-Developers shall be at liberty to file the show cause reply in response to the recovery notice dated 27th January 2026 outlining the facts and circumstances as also the order passed in Writ Petition (L) No. 30956 of 2024. If the show cause reply is filed within next two weeks that shall be decided by a reasoned order within four weeks thereafter.

5. For the foregoing reasons and with the aforesaid direction, Writ Petition No. 972 of 2026 is disposed of without entering into the merits of the matter and all contentions are left open.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]