

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.915 OF 2026

Brijmohan Chandrabhan Gupta & Anr. ...Petitioners
Versus
The State Legal Services Authority & Ors. ...Respondents

Mr. M. M. Vashi, Senior Advocate a/w. Ms. Panthi Desai i/b. M/s. M. P. Vashi & Associates, for the Petitioners.
Mr. Karl Tamboly a/w. Mr. Viraj Parikh, Mr. Indrajeet Hingane and Mr. Tejas Mahamuni, for the Respondent No.2.
Mr. Anosh Sequeria i/b. Mr. Jayesh Mestry, for the Respondent No.3.
Mr. Venkatesh Dhond, Senior Advocate, i/b. Mr. Dharmesh S. Jain, for the Intervenor.

CORAM: MADHAV J. JAMDAR, J.
DATED : 27th JANUARY 2026

PC:-

1. Heard Mr. Vashi, learned Senior Counsel appearing for the Petitioners.

2. One of the contention raised is that possession of the premises in question has been taken by playing fraud on the Court. It is the submission of Mr. Vashi, learned Senior Counsel appearing for the Petitioners that by filing collusive suit i.e. L.E. & C. Suit No.77 of 2025 possession has been taken pursuant to order passed

by Lok Adalat. He further submits that although the Petitioners have applied for copy of Bailiff's Report, the same has not been provided.

3. Accordingly, in view of these contentions and more particularly in view of the contention that the order has been obtained by playing fraud on the Court and as a result of the said fraud, possession has been taken, learned Registrar, Small Causes Court, Mumbai shall immediately seal the record of L.E. & C. Suit No.77 of 2025 of the Small Causes Court, Mumbai and entire record be sent to this Court by today evening.

4. Learned Registrar (Judicial-I), High Court, Bombay is requested to communicate this order to the learned Registrar, Small Causes Court, Mumbai.

5. As the matter is very serious affecting the administration of justice, all the parties are requested to submit written submissions.

6. At this stage, Mr. Tamboly, learned Counsel appearing for the Respondent No.2 submits that today the matter is before the

learned Small Causes Court, Mumbai for taking on record Bailiff's Report. After the said matter is over, the record be sent to this Court.

7. Further proceedings if any, in said L.E. & C. Suit No.77 of 2025 are stayed.

8. Stand over to **28th January 2026**. To be listed First on Board at 11:00 a.m. To be listed along with Interim Application (ST) No.2463 of 2026.

[MADHAV J. JAMDAR, J.]

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