

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 743 OF 2022

K. Ashrafuddin ...Petitioner  
*Versus*  
State of Maharashtra Thr. Government Pleader ...Respondents  
and Ors.

ALONGWITH

WRIT PETITION NO. 10641 OF 2025

Tahir Babu Shaikh and Anr. ...Petitioners  
*Versus*  
State of Maharashtra and Ors. ...Respondents

ALONGWITH

WRIT PETITION NO. 22 OF 2024

Ashok S. Singh ...Petitioner  
*Versus*  
State of Maharashtra Thr. GP and Ors. ...Respondents

ALONGWITH

CONTEMPT PETITION NO. 416 OF 2024

Rahul Vivek Nadkarni and Anr. ...Petitioners  
*Versus*  
State of Maharashtra Thr. GP and Ors. ...Respondents

**Mr Manish Gala a/w Adv. Samyak Dedhia**, for the Petitioners in CP 743 of 2022 with WP 10641 of 2025

**Mr A. I. Patel Addl. GP a/w Shri V. G. Badgujar, AGP**, for the Respondent-State in CP 743 of 2022 with WP 10641 of 2025.

**Mr A. I. Patel Addl. GP a/w Smt. R. A. Salunkhe, AGP**, for the Respondent-State in WP 22 of 2024 with CP 416 of 2024

**Mr. Makrand Raut**, for Respondent Nos. 5 to 8

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**CORAM: SUMAN SHYAM &  
S. M. MODAK, JJ.**

**DATED: 22<sup>nd</sup> DECEMBER 2025.**

**PC (Per S. M. Modak, J. ) :-**

1. Heard Mr. Gala, the learned counsel for the Petitioners and Mr. Patel, learned AGP for Respondent 1 to 3-State and Mr. Makrand Raut, the learned counsel for Respondent Nos. 5 to 8.

2. Already there is an order passed by the RERA Court, in favour of the Petitioner, which is confirmed by the Appellate Forum. The appeal filed before the RERA Appellate Tribunal got dismissed. Now these Petitions are arising out of execution of the RERA order.

3. Mr. Patel, the learned AGP has pointed out the letter at page no. 286. It is written by the Revenue Officer to Tahsildar Borivali. It records that there are 30 bank accounts and there is an amount of Rs. 33,12,06,748.54/- lying in deposit. The learned Advocate for Respondent Nos. 5 to 8 wants to take instructions about how much outstanding balance is there. However, the learned AGP has submitted that there are certain difficulties in withdrawing that amount. He also invited our attention to letter dated 30.09.2025

addressed by ICICI Bank to Tahasildar. Even Petitioner's advocate has submitted that these difficulties are created by contesting Respondents.

4. Let learned counsel for the Respondent Nos. 5 to 8 take instructions. In the meantime the ICICI Bank, wherein the above accounts, as reflected, in the letter at page no. 288, concerned should not allow withdrawal of any amount by the concerned account holders, till the next date. Learned advocate for the Petitioners also to obtain instructions and take steps by approaching RERA authorities. It is for the reason all accounts numbers are not mentioned in the notice sent by Tahasildar.

5. Stand over to **09<sup>th</sup> February 2026**.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)