



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7147 OF 2026

Navpad Aradhna Trust

....Petitioner

V/S

The State of Maharashtra & Ors.

....Respondents

Mr. Anshul Kochar *for the Petitioner.*

Mr. P.V. Nelson-Rajan, AGP *for Respondent No.1/State.*

Mr. Kirit Hakani with Ms. Niyati Hakani and Ms. Bhavana Ahire *for Respondent Nos.2 and 3.*

CORAM : SANDEEP V. MARNE, J.

DATE : 09 JUNE 2026.

P.C.:

1. Heard the learned counsel appearing for the Petitioner.
2. Mr. Hakani appears on behalf of Respondent No.2-Society. He seeks and is granted time of three weeks to file Affidavit-in-Reply.
3. The learned counsel for the Petitioner expresses an apprehension that in pursuance of order dated 21 February 2026 passed by the Chief Judicial Magistrate, Thane, the Recovery Officer is likely to take possession of the flat in question. *Prima facie*, it appears that the Recovery Certificate was issued on 11 March 2022 whereas the purchase transaction has occurred on 6 July 2024 i.e. two years after issuance of Recovery Certificate. The order of attachment was passed few days later

on 10 July 2024. Considering this position, though the Recovery Officer can take possession of the flat in question, the Respondent No.2-Society shall not cause sale of the flat till the next date of hearing.

4. List the Petition for further consideration on **13 July 2026**.

5. In the event Petitioner shows willingness to deposit the amount due to Respondent No.2, parties would be at liberty to move the Court before the next date.

(SANDEEP V. MARNE, J.)