

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION***

***WRIT PETITION NO.9268 OF 2023***

Nikunj Developers and Anr. ...Petitioners

Versus

Maharashtra Real Estate Regulatory  
Authority, Mumbai and Ors. ...Respondents

Mr. Anand Pai with Mr. Viraj Jadhav, Mr. Neha Tatkare and  
Ms. Nishita Bhuta i/b Mr. Chinmaya Acharya for the Petitioners.

Mr. Vishal Pattabiraman i/b Mr. Govind B. Solanke for the Respondent  
No.4.

***CORAM: BHARATI DANGRE &  
MANJUSHA DESHPANDE, JJ.***

***DATE : 23<sup>rd</sup> APRIL 2026***

***P.C. :***

1. The writ petition is filed raising a challenge to the order dated 22<sup>nd</sup> November 2022 passed by the MahaRERA which has refused to condone the delay in filing the Appeal being aggrieved by the order dated 3<sup>rd</sup> July 2019 passed by RERA.

2. The learned counsel for the petitioner fairly concede to the fact that the remedy available to the Appellant is in a form of a

Second Appeal and the remedy of writ may be precluded in the wake of the said Appeal,

The Counsel seek permission to convert the writ petition into a Second Appeal and we grant the said prayer, so as to avoid multiplicity of the proceedings. Let necessary steps be taken by the counsel for the petitioners to convert the writ petition into a Second Appeal. The grounds of Appeal shall be specifically set out while the petition is converted into a Second Appeal.

*MANJUSHA DESHPANDE, J.*

*BHARATI DANGRE, J.*