

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

WRIT PETITION NO.10024 OF 2023

D Dahyabhai and Co. Pvt. Ltd. & Anr.Petitioners

Versus

The State of Maharashtra & Ors.Respondents

**WITH
CONTEMPT PETITION NO.333 OF 2025
WITH
INTERIM APPLICATION NO.7016 OF 2024
IN
WRIT PETITION NO.10024 OF 2023
WITH
WRIT PETITION NO.3205 OF 2018
WITH
INTERIM APPLICATION NO.2785 OF 2020
IN
WRIT PETITION NO.3205 OF 2018**

Mr.Janak D. Dwarkadas, Senior Advocate a/w. Mr. Anant G. Mallya and Mr. Sachin H. Kankal, AGP for the Petitioners in Writ Petition No.3205 of 2018 and for the Respondent – State in Writ Petition No.10024 of 2023.

Mr. Chirag Balsara a/w. Mr. Jaydeep Deo, Ms. Minal Chandnani and Mr. Rajesh Ranglani for the Petitioners in Writ Petition No.10024 of 2023 and Contempt Petition No.333 of 2025 and for Respondent No.1 in Writ Petition No.3205 of 2018.

Dr. Abhinav Chandrachud a/w. Mr. Janay Jain and Mr. Nikhil Waje for Respondent No.2 in Writ Petition No.3205 of 2018

Mr. R.S. Apte, Senior Advocate i/b. Mr. Mandar Limaye for the Respondent – TMC.

Mr. Ashutosh Gole a/w. Mr. Nikhil Waje for the Applicants in Interim Application No.7016 of 2024.

Mr. Kunal Dwarkadas a/w. Ms. Devyani Kulkarni i/b. Jayakars for the Applicants in Interim Application No.2785 of 2020.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 21st NOVEMBER, 2025

P.C. :-

1. We have considered the submissions of the learned Senior Advocate Mr. Dwarkadas, appearing as Special Counsel on behalf of the State of Maharashtra, the learned Senior Advocate Mr. Apte on behalf of the Corporation, and the learned Advocates appearing for the respective parties.

2. There is no dispute that the Hon'ble Supreme Court has delivered a judgment on 7th November, 2025 in Civil Appeal No. 5454 of 2019 (***Rohan Vijay Nahar & Ors. Versus The State of Maharashtra & Ors.***)

3. Having carefully gone through the judgment of the Hon'ble Supreme Court in ***Rohan Vijay Nahar & Ors.*** (*supra*), we requested the learned Senior Advocate Mr. Dwarkadas, Special Counsel for the State of Maharashtra, to take the assistance of the learned AG, GP/AGPs appearing for the State to assess whether any

issue remains to be adjudicated by this Court in the light of the said judgment. If Mr. Dwarkadas is convinced that all the issues in the present proceedings before us, have been dealt with by the Hon'ble Supreme Court, we request him to apprise us accordingly. If he points out any specific issue that remains undecided and could be decided by this Court, in the backdrop of the judgment of the Hon'ble Supreme Court, he may point out the said specific aspect, on the point of law or facts.

4. On the aspect of this Court having passed an order on 28th April, 2025, in relation to the non-compliance of the order dated 25th November, 2022 passed in Appeal from Order No.1051 of 2019, we grant time to the Corporation till 28th November, 2025 to tender a short affidavit with dates and events to indicate whether any steps have been seriously taken for the implementation of the order, in the light of the statement made, on instructions, by the learned Senior Advocate Mr. Apte that the Corporation, by no stretch of imagination, would desire to frustrate or disobey the said order or that the Corporation has already initiated steps towards implementation of the same.

5. We called upon the learned Senior Advocates Mr. Dwarkadas and Mr. Apte and the learned Advocates appearing on behalf of the respective parties before us, as to whether they would be in a position to file their written notes of submissions. All of them have graciously agreed to tender their written notes of submissions and submit that these proceedings be treated as part-heard.

6. With the consent of the learned Senior Advocates and the learned Advocates, these matters are treated as “**part-heard**”. We would appreciate if the parties tender the written notes of submission on 28th November, 2025.

7. By consent of the parties, all these matters are listed at **3.00 p.m. on 28th November, 2025.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)