

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10753 OF 2025

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Marvel Zeta Developers Pvt. Ltd. & Anr.Petitioners

Versus

The Wing Commander
Senior Air Traffic Control Officer,
Air Force, Pune & Ors.Respondents

Mr. Vineet Naik, Senior Advocate a/w. Mr. Kishor Patil and Mr. Amit Gharte, for the Petitioners.

Ms. Priyanka Chavan, for Respondent Nos.1, 2 and 5-UOI.

Mr. Rajdeep Khadapkar, for Respondent Nos.3 and 4.

Mr. P. P. Kakade, Addl. GP a/w. Mr. V. G. Badgujar, AGP for Respondent Nos.6 and 7 – State.

CORAM : RAVINDRA V. GHUGE
&
HITEN S. VENEGAVKAR, JJ.

DATE : 5th MAY, 2026

P.C.:

1. The learned Counsel appearing for the Union of India submits, apologetically, that an affidavit in reply has not been filed though this Court had granted time, vide the order dated 05/08/2025. The affidavit in reply was to be filed in the Registry on or before 04/09/2025.

2. We could have imposed heavy costs on Respondent Nos.1, 2 and 5, for not filing the affidavit in reply. However, the learned Counsel, Ms. Chavan for Respondent Nos.1, 2 and 5 submits that an affidavit in reply will be filed positively within three weeks.

3. In view of the above, as a last chance, we grant extension of time to Respondent Nos.1, 2 and 5, to file a common affidavit in reply on or before 21/05/2026. The Registry is directed to accept the physical copy of the affidavit in reply even during vacation. The E-filing of the affidavit in reply, shall be simultaneously done. The copy of the affidavit in reply would be served upon Shri Gharte, the learned Advocate for the Petitioners, on the following email address:

gharteamit@yahoo.in

4. In the event the Petitioners desire to file a rejoinder affidavit, let such rejoinder affidavit be filed on or before 11/06/2026.

5. List this Petition for a final hearing at admission stage,

by consent, on **22/06/2026 at 03:00 p.m.** Parties are at liberty to file their recordable short written notes of submissions, as well as case law with index and pagination, in order to curtail the oral submissions.

6. We make it clear that on the said date, after the submissions are concluded, we would close this matter for judgment.

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)