

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 11654 OF 2025**

Najreen Bano D/o. Abdul Ahad Khan ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Ibraheem K.M. for Petitioner.

Mr. B.V. Samant, Addl.G.P. a/w Smt. Nisha Mehra, A.G.P. for Respondent-State.

Mr. Chaitanya Chavan a/w Adv. D.R. Kawale for Respondent No.2-BMC.

Mr. Ashish Gabhale i/b Jay & Co. for Respondent No.3.

Mr. S.G. Tambe, Colony Officer, M/E Ward and Mr. Pravin Parate, Rent Controller, M/E Ward, present.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 2nd April 2026

PC. :

1) Learned Advocate for Petitioner submitted that, Petitioner is unable to comply with the Order dated 23rd March 2026, as the Petitioner hails from economically lower strata of the Society and particularly below the poverty line. She is therefore unable to deposit the said decretal amount in pursuance of certificate issued under Section 101 of the Maharashtra Co-operative Societies Act, 1960.

For the time being, we accept the said statement.

1.1) He submitted that, the property in question is in fact a hut constructed on BMC's land for which photo passes are issued by the competent Authority.

2) In view of the above, we direct Respondent No.3 to file his detailed reply to the Petition, placing on record all the documents advancing loan and mortgaging the suit property.

2.1) The said Affidavit shall also mention the names of all the Officers, who processed the loan proposal of Smt. Alimunisa Abdul Ahad Khan and Shri. Mohd. Rijwan Abdul Ahad Khan.

2.2) The said reply be filed within a period of two weeks from today.

3) Till the returnable date, the execution of impugned Order dated 18th June 2025, *qua* the property of Petitioner is stayed.

4) Stand over to 23rd April 2026.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)