

Priya Soparkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13450 OF 2025

WITH

WRIT PETITION NO. 13445 OF 2025

WITH

INTERIM APPLICATION NO.13040 OF 2025

IN

WRIT PETITION NO. 13445 OF 2025

Sharad Kaka Waydande and ors.

...Petitioners

Versus

Bhiva Harishchandra Sawant and ors.

...Respondents

Mr. Anil Sakhare, Senior Advocate with Mr. Arjun Sanjay Pawar,
for the Petitioners in WP No.13450 of 2025.

Mr. Abhijeet Desai i/by Mr. Shrikant Patil, Mr. Vijay Singh, Ashlyn
Almeida and Ms. Mohini Rehpade, for the Petitioners in WP
No.13445 of 2025.

Dr. Suresh Mane with Mr. Dinesh R. Sonawane, for the Intervenor/
Applicant in IA No.13040 of 2025.

Mr. N. C. Walimbe, Addl. GP with Ms. R. M. Shinde, AGP, for the
State in both the Petitions.

Mr. R. R. Shetty, Senior Advocate with Ms. Sonali Pawar, for the
Respondents Nos.1, 2, 4, 7, 9, 11 and 15 in both the
Petitions.

Mr. Sandeep Dere i/by Ms. Arati Patil-Dere, for the Respondents
Nos. 16 to 25 in both the Petitions.

**CORAM: SUMAN SHYAM &
S. M. MODAK, JJ.**

DATED: 13th NOVEMBER, 2025.

PC:-

1. Heard Mr. Anil Sakhare, learned senior counsel as well as Mr. Abhijeet Desai, learned counsel appearing for the respective Petitioners.
2. In view of the arguments advanced by Mr. R. R. Shetty, learned senior counsel for the Respondents Nos.1, 2, 4, 7, 9, 11 and 15 concerning the issue of maintainability of the Writ Petitions, we are of the view that in the absence of any pleaded impeachment of the Writ Petitions, it would not be permissible for this Court to pass any order on the point of maintainability, as canvassed by the Respondents.
3. As such, we grant four weeks time to file preliminary affidavit raising the plea of maintainability of the Writ Petition by serving advance copy on the opposite side.
4. Considering the facts and circumstances of the case, as an ad-interim measure, it is directed that status-quo as on today, be maintained in the matter.
5. Stand over to 11th December, 2025.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)