

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 51 OF 2026

D G Land Developers Pvt. Ltd. & ors. ..Appellants

Versus

Harshala Jayendra Raut & ors. ...Respondents

Mr. Nimay Dave, Mr. Umang Mehta, Ms. Ayushi Adhikari i/b
Avyaan Legal, for the Appellants.

Mr. Swati C Raul, for the Respondent Nos. 1 & 2.

CORAM : N. J. JAMADAR, J.

DATE : 15th APRIL 2026

P.C.:

1. Heard the learned counsel for the parties.
2. The following substantial questions of law arise for consideration :-

i) Whether the Appellate Tribunal misconstrued the jural relationship between the parties in directing the appellant to refund the amount of Rs. 29,18,869/- when the amount was paid by the allottees to the Respondent Nos. 4 to 6, before the Appellate Tribunal?

ii) Whether the Appellate Tribunal committed an error in law in awarding compensation of Rs.15,00,000/-, and simultaneously directing the allottees to file appropriate

proceedings before the adjudicating officer to claim compensation ?

3. Issue notice to respondents, returnable on 17th June, 2026.
4. Ms. Raul, the learned Counsel, waives notice for the Respondent Nos. 1 and 2.
5. In addition to notice through Court, the appellants are at liberty to serve the respondent Nos.3 to 5 by private service and file an Affidavit of Service.
6. Th appellant shall file a private paper book within a period of six weeks.
7. The parties are put to notice that, an endeavor would be made to hear and decide the appeal finally.

[N. J. JAMADAR, J.]