IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 622 OF 2025

IIFL Finance Limited ..Appellant

Versus

Honest Shelters Private Limited …Respondent

WITH

INTERIM APPLICATION NO. 13638 OF 2025

IN

SECOND APPEAL NO. 622 OF 2025

Mr. Chetan Kapadia, Senior Advocate, with Animesh Bisht, Anirudha Gambhir, Pushpa Deo and Keshav Bansae, i/b Cyril, Amarchand Mangaldas, for the Appellant, for the Appellant.

Mr. Rubin Vakil, with Sonam Mhatre, Saloni Sulakhe, Declan Fernandez and Shloak Sanghvi, i/b Dhaval Vussonji & Associates, for the Respondent.

CORAM: N. J. JAMADAR, J.

DATE : 17th DECEMBER 2025

P.C.:

ARUN RAMCHANDRA SANKPAL

Digitally signed by ARUN RAMCHANDRA SANKPAL
Date: 2025.12.17 19:41:12 +0530

SECOND APPEAL NO. 622 OF 2025:

1. Heard the learned Counsel for the parties.

2. The following substantial question of law arises for consideration.

Q. Whether the Appellate Tribunal committed an error in law in remanding the matter to MahaRERA on the premise that MahaRERA did not consider the

effect and import of the orders dated 20th March 2023 and 19th July 2023 passed by the MahaRERA and the order of the Supreme Court dated 6th December 2023 and the High Court order dated 2nd January 2024, when the Appellate Tribunal, in the circumstances of the case, could have itself decided the Appeal on merits, and the remand, in such situation, entailed miscarriage of justice?

3. Issue notice to the Respondent returnable on 27th January 2026.

4. Mr. Rubin Vakil, the learned Counsel waives service of notice for the Respondent.

5. In the light of the limited nature of the controversy, the parties are put to notice that an endeavour would be made to hear and decide the Appeal finally.

6. The Appellant shall file private paper-book consisting of the pleadings, evidence and documents within a period of three weeks.

7. Stand over to 27th January 2026.

INTERIM APPLICATION NO. 13638 OF 2025:

8. Issue notice to the Respondent returnable on 27th January 2026.

9. Mr. Rubin Vakil, the learned Counsel, waives service of notice for the Respondent.

10. The Respondent is at liberty to file an Affidavit in Reply within a period of three weeks and serve its copy on the Applicant.

11. Affidavit in Rejoinder, if any, be filed within a period of one week, thereafter.

12. In the meanwhile there shall be stay to the execution and operation of the impugned order, till further orders.

13. Stand over to 27th January 2026.

[N. J. JAMADAR, J.]