

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3143 OF 2022

Arsheesh Jamshed Wadia and Anr. ... Petitioners

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

WITH

WRIT PETITION (L) NO. 5627 OF 2022

The Darukhana Iron Steel and Scrap
Merchants Association ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

WITH

WRIT PETITION NO. 3256 OF 2022

Bhupinder Singh Anand ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

WITH

WRIT PETITION (L) NO. 7714 OF 2022

Kamalbir Singh & Anr. ... Petitioners

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

WITH

WRIT PETITION NO. 3363 OF 2022

Harsh H. Jain ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

WITH

WRIT PETITION NO. 3530 OF 2022

Indian Vegetable Products Private Ltd.,
Now Known as IVP Limited ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

**WITH
WRIT PETITION NO. 3359 OF 2022**

Khandelwal Brothers Ltd. ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

**WITH
WRIT PETITION NO. 3558 OF 2022**

Noble Fisheries Pvt. Ltd. ... Petitioners

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

**WITH
WRIT PETITION NO. 3625 OF 2022**

The Hyder-E-Ally Manufacturing &
Pressing Factory Pvt. Ltd. ... Petitioner

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 5398 OF 2022**

Aditya B. Somaiya & Ors. ... Petitioners

Versus

The Board of Trustees of the Port
of Mumbai & Ors. ... Respondents

Mr. Darius Khambata, Senior Advocate a/w Mr. Ali Antalay, Ms. Viren Asar, Mr. Ahuramazda Postwala, Mr. Shantanu Asar, Ms. Ruchika Dave, Ms. Divya Mathews and Ms. Krupa Joshi i/by J. Sagar Associates for the Petitioners.

Ms. Savita Ganoo a/w Mr. D. P. Singh, Mr. Aditya Thakkar for the Respondent No.3-UOI.

Mr. Rahul Soman a/w Ms. Aishwarya Shinde for Petitioner in WP/1016/2022 (not on board).

Ms. Akriti Shikha i/b. HSA Advocates for Respondent Nos. 1 and 2 in

WP/3256/2022.

Ms. Aasiya Khan i/by HSA Advocates for Respondent Nos. 1 and 2 in WP/3363/2022.

Farnaaz Karbhari, Mr. Rahul Jain, Ms. Khushboo Rupani i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/7714/2022 and WP/5627/2022.

Farnaaz Karbhari, Mr. Rahul Jain, Ms. Khushboo Rupani, Ms. Akriti Shikha i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/3256/2022.

Farnaaz Karbhari a/w Mr. Rahul Jain and Ms. Mahafirin Mehta i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/3530/2022.

Shanay Shah a/w Farnaaz Karbhari, Mr. Rahul Jain, Ms. Khushboo Rupani, i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/3558/2022 and WP/3143/2022.

Farnaaz Karbhari a/w Mr. Rahul Jain and Ms. Aasiya Khan i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/3363/2022.

Farnaaz Karbhari a/w Mr. Rahul Jain and Niknil Verma i/by HSA Advocates for Respondent Nos. 1 and 2 in WPL/3359/2022.

Ms. Viren Asar a/w Mr. Ranjeet Sheety, Mr. Jonathan Jose i/by Argus Partners for the Petitioners in WP/3625/2022.

Mr. Sahil Saiyed for the Petitioner in WP/5398/2022.

Ms. Apurva Gupt a/w Ms. Smita Thakur for the Respondent No.3-UOI in WPL/5398/2022.

**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE : 6th OCTOBER, 2022

P.C. :-

1. Heard Mr. Kambata, the learned senior counsel for the petitioners. The petitioners are challenging the levy of rent on the ground that the same is being charged with the retrospective effect. The respondents are not entitled for the same.

2. The learned counsel appears for respondent nos. 1 and 2 seeks time to file reply. The learned counsel appears for respondent no.3.

3. At the request of learned counsel for respondent nos. 1 and 2, place the matters on 18th November, 2022.

4. The petitioners have placed on record the draft amendment. The petitioner seeks leave to amend as per the draft amendment. Heard the learned senior counsel for the petitioner and the learned counsel for the respondents. The writ petition is at the nascent stage. Even otherwise, the respondents will have every opportunity to controvert the averments sought to be introduced by amendment.

5. In light of that, the petitioners are permitted to amend in tune with the draft amendment.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

BIPIN
DHARMENDER
PRITHIANI

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PRITHIANI
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