

Priya Soparkar

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 Mumbai Port Authority and ors. ...Respondents

WITH
INTERIM APPLICATION (L) NO. 40651 OF 2025
IN

WRIT PETITION NO. 3143 OF 2022

WITH
INTERIM APPLICATION NO. 1271 OF 2023
IN

WRIT PETITION NO. 3143 OF 2022

WITH
WRIT PETITION NO. 646 OF 2023

WITH
WRIT PETITION NO. 464 OF 2023

WITH
WRIT PETITION NO. 282 OF 2023

WITH
WRIT PETITION NO. 749 OF 2025

WITH
WRIT PETITION NO. 305 OF 2023

WITH
WRIT PETITION NO. 156 OF 2024

WITH
WRIT PETITION NO. 2835 OF 2023

WITH
WRIT PETITION NO. 587 OF 2023

WITH
WRIT PETITION NO. 350 OF 2023

WITH
WRIT PETITION NO. 3329 OF 2025

WITH
WRIT PETITION NO. 3146 OF 2022

WITH

WRIT PETITION NO. 1228 OF 2023
WITH
WRIT PETITION NO. 629 OF 2023
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WRIT PETITION NO. 1050 OF 2023
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WRIT PETITION NO. 809 OF 2023
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WRIT PETITION NO. 1046 OF 2023
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WRIT PETITION NO. 1346 OF 2023
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WRIT PETITION NO. 697 OF 2023
WITH
WRIT PETITION NO. 1129 OF 2023
WITH
WRIT PETITION NO. 606 OF 2023
WITH
WRIT PETITION NO. 1092 OF 2023
WITH
WRIT PETITION (L) NO. 3222 OF 2024
WITH
WRIT PETITION NO. 991 OF 2022
WITH
WRIT PETITION NO. 3306 OF 2022
WITH
WRIT PETITION (L) NO. 4083 OF 2025
WITH
WRIT PETITION (L) NO. 4236 OF 2025
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WRIT PETITION NO. 997 OF 2024
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WRIT PETITION NO. 1293 OF 2025
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WRIT PETITION NO. 869 OF 2023
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WRIT PETITION NO. 3737 OF 2025
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WRIT PETITION NO. 135 OF 2023
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WRIT PETITION NO. 3256 OF 2022

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WRIT PETITION NO. 3617 OF 2022
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WRIT PETITION NO. 2883 OF 2023
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WRIT PETITION NO. 1237 OF 2023
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WRIT PETITION NO. 3747 OF 2022
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WRIT PETITION NO. 521 OF 2023
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WRIT PETITION NO. 2415 OF 2023
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WRIT PETITION NO. 1177 OF 2024
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WRIT PETITION NO. 3363 OF 2022
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WRIT PETITION NO. 531 OF 2023
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WRIT PETITION NO. 582 OF 2023
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WRIT PETITION NO. 901 OF 2024
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WRIT PETITION NO. 2416 OF 2023
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WRIT PETITION NO. 1129 OF 2025
WITH
WRIT PETITION NO. 1557 OF 2023
WITH
INTERIM APPLICATION NO. 2121 OF 2023
WITH
INTERIM APPLICATION NO. 2122 OF 2023
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INTERIM APPLICATION NO. 2326 OF 2023
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INTERIM APPLICATION NO. 2350 OF 2023
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INTERIM APPLICATION NO. 3146 OF 2023
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INTERIM APPLICATION NO. 3150 OF 2023

WITH
INTERIM APPLICATION NO. 2349 OF 2023
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INTERIM APPLICATION NO. 2119 OF 2023
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INTERIM APPLICATION NO. 2388 OF 2023
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INTERIM APPLICATION NO. 3147 OF 2023
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INTERIM APPLICATION NO. 2355 OF 2023
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INTERIM APPLICATION NO. 3148 OF 2023
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INTERIM APPLICATION NO. 3149 OF 2023
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INTERIM APPLICATION NO. 2344 OF 2023
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INTERIM APPLICATION NO. 2044 OF 2023
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INTERIM APPLICATION NO. 2045 OF 2023
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INTERIM APPLICATION NO. 2120 OF 2023
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INTERIM APPLICATION NO. 2124 OF 2023
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INTERIM APPLICATION NO. 2127 OF 2023
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INTERIM APPLICATION NO. 2336 OF 2023
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INTERIM APPLICATION NO. 2330 OF 2023
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INTERIM APPLICATION NO. 2342 OF 2023
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INTERIM APPLICATION NO. 2345 OF 2023
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INTERIM APPLICATION NO. 2352 OF 2023
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INTERIM APPLICATION NO. 2057 OF 2023
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INTERIM APPLICATION NO. 2058 OF 2023
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INTERIM APPLICATION NO. 2060 OF 2023
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INTERIM APPLICATION NO. 2132 OF 2023
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INTERIM APPLICATION NO. 2061 OF 2023
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INTERIM APPLICATION NO. 2133 OF 2023
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INTERIM APPLICATION NO. 2331 OF 2023
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INTERIM APPLICATION NO. 2332 OF 2023
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INTERIM APPLICATION NO. 2333 OF 2023
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INTERIM APPLICATION NO. 2334 OF 2023
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INTERIM APPLICATION NO. 2115 OF 2023
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INTERIM APPLICATION NO. 2154 OF 2023
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INTERIM APPLICATION NO. 2123 OF 2023
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INTERIM APPLICATION NO. 2125 OF 2023
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INTERIM APPLICATION NO. 2327 OF 2023
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INTERIM APPLICATION NO. 2118 OF 2023
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INTERIM APPLICATION NO. 2114 OF 2023
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INTERIM APPLICATION NO. 2351 OF 2023

WITH
INTERIM APPLICATION NO. 2080 OF 2023
WITH
INTERIM APPLICATION NO. 2346 OF 2023
WITH
INTERIM APPLICATION NO. 2353 OF 2023
IN
WRIT PETITION NO. 1557 OF 2023
WITH
WRIT PETITION NO. 3752 OF 2023
WITH
WRIT PETITION NO. 3722 OF 2025
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WRIT PETITION NO. 3726 OF 2025
WITH
WRIT PETITION NO. 1697 OF 2023
WITH
WRIT PETITION NO. 3686 OF 2025
WITH
INTERIM APPLICATION (L) NO. 25918 OF 2024
IN
WRIT PETITION NO. 3686 OF 2025
WITH
WRIT PETITION NO. 2500 OF 2023
WITH
INTERIM APPLICATION NO. 3836 OF 2024
IN
WRIT PETITION NO. 2500 OF 2023
WITH
WRIT PETITION NO. 3530 OF 2022
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WRIT PETITION NO. 2381 OF 2023
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WRIT PETITION NO. 3625 OF 2022
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WRIT PETITION NO. 3693 OF 2025
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WRIT PETITION NO. 3359 OF 2022
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WRIT PETITION NO. 3558 OF 2022
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WRIT PETITION NO. 668 OF 2023
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WRIT PETITION NO. 2481 OF 2023
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WRIT PETITION (L) NO. 17578 OF 2024
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WRIT PETITION NO. 3101 OF 2023
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WRIT PETITION (L) NO. 18046 OF 2025
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WRIT PETITION NO. 3247 OF 2025
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WRIT PETITION NO. 2886 OF 2023
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WRIT PETITION NO. 3880 OF 2025
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WRIT PETITION NO. 3896 OF 2025
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WRIT PETITION NO. 143 OF 2023
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WRIT PETITION NO. 315 OF 2024
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WRIT PETITION NO. 69 OF 2025
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WRIT PETITION NO. 3728 OF 2025
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WRIT PETITION NO. 2936 OF 2023
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WRIT PETITION NO. 3664 OF 2025
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WRIT PETITION NO. 1850 OF 2023
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WRIT PETITION NO. 2892 OF 2023
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WRIT PETITION NO. 3256 OF 2023
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WRIT PETITION NO. 3859 OF 2025
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WRIT PETITION NO. 3807 OF 2025
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WRIT PETITION NO. 3653 OF 2022
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WRIT PETITION NO. 3959 OF 2022
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WRIT PETITION NO. 42 OF 2023
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WRIT PETITION NO. 4099 OF 2022
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WRIT PETITION NO. 211 OF 2024
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WRIT PETITION NO. 3714 OF 2023
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WRIT PETITION NO. 4119 OF 2022
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WRIT PETITION NO. 4102 OF 2022
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WRIT PETITION NO. 57 OF 2023
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WRIT PETITION NO. 630 OF 2024
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WRIT PETITION NO. 58 OF 2023
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WRIT PETITION NO. 5245 OF 2022
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WRIT PETITION NO. 62 OF 2023
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WRIT PETITION NO. 5186 OF 2022
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WRIT PETITION NO. 5373 OF 2022
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WRIT PETITION NO. 84 OF 2023
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WRIT PETITION NO. 5279 OF 2022
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WRIT PETITION NO. 4023 OF 2022
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WRIT PETITION NO. 577 OF 2023
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WRIT PETITION NO. 4724 OF 2024
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WRIT PETITION NO. 3273 OF 2023
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WRIT PETITION NO. 1025 OF 2025
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WRIT PETITION NO. 1016 OF 2022
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WRIT PETITION NO. 3774 OF 2025
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WRIT PETITION (L) NO. 31364 OF 2024
WITH
WRIT PETITION NO. 5339 OF 2022
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WRIT PETITION NO. 5019 OF 2022
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WRIT PETITION NO. 79 OF 2023
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WRIT PETITION NO. 4695 OF 2025
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WRIT PETITION (L) NO. 35644 OF 2025
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WRIT PETITION NO. 3487 OF 2025
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WRIT PETITION (L) NO. 35890 OF 2025
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WRIT PETITION NO. 610 OF 2023
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WRIT PETITION (L) NO. 36495 OF 2025
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WRIT PETITION NO. 5154 OF 2022
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WRIT PETITION NO. 5151 OF 2022
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WRIT PETITION NO. 5325 OF 2022
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WRIT PETITION NO. 2394 OF 2023
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WRIT PETITION (L) NO. 39499 OF 2024
WITH
WRIT PETITION NO. 1342 OF 2023
WITH
WRIT PETITION (L) NO. 39869 OF 2022
WITH
WRIT PETITION NO. 769 OF 2023
WITH
WRIT PETITION NO. 139 OF 2023

WITH
WRIT PETITION NO. 1135 OF 2023
AND
WRIT PETITION NO. 214 OF 2023

Ms. Rhea Parkash a/w Mr. Suraj Agarwal and Ms. Kshamaya Daniel i/b Crawford Bayley & Co, for the Petitioner in WPL/39499/2024 & WPL/4083/2025.

Ms. Shivali S. Mhatre a/w Mr. Shankear V. Mhatre, for the Petitioner in WP/3273/2023.

Mr. Viren Asar a/w Ms. Sonali Aggarwal i/b M/s Dhruve Liladhar Co., for the Petitioner in WP/2394/2023, WP/1293/2025.

Mr. Sunil Tilokchandarni a/w Ms. Shrishti Bhindora i/b Manilal Kher Ambalal & Co., for the Petitioner.

Mr. Jahan Dastur a/w Dikshat Mehra and Mr. Hmeey Chandrani i/b Rajani Associates for the Petitioner in WP/3686/2025.

Mr. Nadeem Shaha with Ms. Hubab Sayyed a/w Ms. Sahil Sayyed i/b Sayyed Associates, for the Petitioner in WP(L)/39869/2022.

Mr. Viren Asar a/w Mr. Tushar Hathiramani, Mr. Nandini Joshi, Mr. Dhruv Joshi and Ms. Janavi Khant i/b Harish Joshi & Co., for the Petitioners in WP/2500/2023.

Mr. Chamundeshwari Bhogilal Chinai a/w Mr. Shankar Mhatre and Sivali Mhatre, for the Petitioner in WP/3273/2023.

Mr. Viran Asar a/w Ms. Bhavga Shah, Mr. Sumeet Singh i/b A& P Partners, for the Petitioner (Voltas Limited) in WP/997/2024.

Ms. Shoma Maitra a/w Mr. Nipeksh Arvind Jain i/b Wadia Ghandy & Co., for the Petitioner in WP/4695/2025.

Ms. Rutu Pawar i/b Pragnay Legal, for the Petitioner in WP/143/2023.

Mr. Dharam Jumani a/w Mr. Shubham Jagtap i/b Dhauka & Partners, for the Petitioner in WP/3664/2025.

Mr. Viran Asar a/w Mr. Sujit Mashal i/b Ms. Husefa Nasikwala, for the Petitioner in WP(L)/18046/2025.

Mr. Rahul Soman a/w Ms. Aishwarya Shinde, for the Petitioner in WP/1016/2022.

Mr. Viran Asar a/w Mr. Rahul Soman Mr. Ayaz Bilawala, Mr. Yogesh Gaikwad, M/s Bilawala & Co., for the Petitioner in WP/3857/2025, WP/3856/2025, WP/3858/2025, WP/3880/2025 and WP/3896/2025.

Mr. Viren Asar a/w Ahura Postwala, Mr. Anuj Athalye, Mr. Rohan Gupta, Mr. Shubham Kalbere, Mr. Aryaman Ghag i/b Legasis Partners, for the Petitioner in WP/3487/2025.

Ms. Sharanya Sahadevan i/b Vashi & Vashi, for the Petitioner in WP/1177/2024.

Ms. Dhanashree Pawaskar i/b Mr. Mehul Rathod, for the Petitioner in WP/901/2024.

Mr. Darshan Furia a/w Ms. Priyanka desai i/b Cyril Amarchand Mangaldas, for the Petitioners in WP/2481/2023.

Mr. Dharam Jumani a/w Ms. Samiksha Ludbe i/b Ms. Chandrika Prajapati, for the Petitioners in WP/3859/2025.

Mr. Manish Doshi a/w Ms. Heena Thalesar i/b Vimadal & Co., for the Petitioners in WP/630/2024.

Mr. Viren Asar a/w Mr. Sahil Saiyed, Mr. Ahuramazda Postwala, Mr. Shantanu Asar, Mr. Amit Padwal, Mr. Somesh Pathak i/b Saiyed Sahil, M. Nagamiya, for the Petitioner in WP 3737/2025, WP/1129/2025, WP/3722/2025, WP/3726/2025, WP/3693/2025, WP/3728/2025, WP/3746/2025, WP/3807/2025, WP/3813/2025, WP/3774/2025, WP(L)/35890/2025, WP(L)/36495/2025, IA(L)/41160/2025, WP/3143/2022, IA(L)/40651/2025, WP/3143/2022.

Mr. Prerak Choudhary a/w Ms. Anisha Balse, Ms. Trisha Ranka, Ms. Rucha Bhole, Mr. Sunil Shetty and Ms. Regina David i/b. Mr. Prerak Choudhary, for the Petitioners in WP/1557/2023, WP/357/2023, WP/991/2022, WP/3617/2022, WP/3608/2022, WP/3959/2022, WP/4099/2022, WP/4119/2022, WP/3653/2022, WP/84/2023, WP/4102/2022, WP/57/2023, WP/58/2023, WP/5245/2022, WP/62/2023, WP/5186/2022, WP-3143-2022, WP/5235/2022, WPL/29070/2022, WP/5279/2022, WP/4023/2022, WP/5335/2022, WP/5356/2022, WP/577/2023, WP/345/2023, WP/5339/2022, WP/282/2023, WP/5019/2022, WP/79/2022, WP/5373/2022, WP/3146/2022, WP/610/2023, WP/5154/2022, WP/646/2023, WP/1135/2023, WP/139/2023, WP/769/2023, WP/1342/2023, WP/5325/2022, WP/5151/2022, WP/1092/2023, WP/606/2023, WP/1346/2023, WP/697/2023, WP/1046/2023, WP/1129/2023, WP/809/2023, WP/1050/2023, WP/629/2023, WP/350/2023, WP/587/2023, WP/2835/2023, WP/305/2023, WP/464/2023, WP/869/2023,

WP/1237/2023, WP/3306/2022, WP/2936/2023,
WP/2742/2023, WP/4586/2024, WP/4113/2024,
WP/135/2023, WP/3747/2022.

Mr. Viren Asar, a/w Mr. Farid Karachiwala, Mr. Ahuramazda Postwala, Ms. Sneh Parikh and Ms. Krutika Mehta i/b for J. Sagar Associates, for the Petitioner in WP/3143/2022, WP/3256/2022, WP/2883/2023, WP/521/2023, WP/582/2023, WP/2146/2023 WP/1697/2023, WP/3530/2022, WP/2381/2023, WP/3359/2022, WP/3558/2022, WP/668/2023, WP/2886/2023, WP/1850/2023, WP/2892/2023, WP/06/2023, WP/1846/2023, WP/214/2023, WP/1228/2023, WP/156/2024, WP/3101/2023, WP/315/2024, WP/32/56/2023, WP/2792/2023, WP/69/2025 WP/3229/2025, WP/3247/2025, WP/3461/2025, WPL/3222/2024, WPL/35644/2025.

Mr. Nirav Barot, with Mr. Tanya Musale (Through V. C.) Ms. Vashista Jagirdar i/b Manesksha& Sethan, for the Applicant in IA/1271/2023 in WP/3143/2022.

Ms. Heenal Wadhwa i/b The Law Point, for the Respondent No.1 in WP(L)/12325/2023.

Ms. Heenal Wadhwa i/b The Law Point, for the Respondent No.1 in WP(L)/1554/2024.

Mr. Virendra Tulzapurkar, Senior Advocate with Mr. Shanay Shah a/w Ms. Paranaaz Karbhari Mr. Rahul Jain, Ms. Khushboo Rupani, Ms. Vineetha Khandwlawal, Ms. Shruti Dalal a/w Mr. Sharan Shetty i/b HSA Advocates, for the Respondent No.1 in WP/3143/2022, a/w IA/1271/2023, WP/646/2023, WP/464/2023, WP/282/2023, WP/305/2023, WP/156/2024, WP/2835/2023, WP/587/2023, WP/350/2023, WP/3329/2025, WP/3146/2022, WP/1228/2023, WP/629/2023, WP/1050/2023, WP/809/2023, WP/1046/2023, WP/1346/2023, WP/697/2023, WP/1129/2023, WP/606/2023, WP/1092/2023, WP(L)/3222/2024, WP/991/2022, WP/3306/2022, WP(L)/4083/2025, WP(L)/42/36/2025, WP/997/2024, WP/1293/2025, WP/869/2023, WP/3737/2025, WP/135/2023, WP/3256/2022, WP/3617/2022, WP/2883/2023, WP/1237/2023, WP/3747/2022, WP/521/2023, WP/2415/2023, WP/1177/2024, WP/3363/2022. WP/531/2023, WP/582/2023, WP/901/2024, WP/2416/2023, WP/1129/2025, WP/1557/2023, WP/3722/2025,

WP/3726/2025, WP/1697/2023, WP/2500/2023,
WP/3530/2022,WP/2381/2023, WP/3693/2025, WP/3359/2022,
WP/3558/2022, WP/668/2023, WP/2481/2023,
WP(L)/18046/2025,WP/3247/2025,WP/2886/2023,
WP/3857/2025, WP/3856/2025, WP/3858//2025,
WP/3880/2025, WP/3880/2025, WP/3896/2025,
WP/143/2023,WP/315/2024, WP/69/2025, WP/3728/2025,
WP/2936/2023, WP/3664/2025, WP/1850/2023,WP/2892/2022,
WP/3256/2022, WP/3461/2025,WP/3859/2025, WP/2742/2023,
WP/3746/2025, WP/06/2023,WP/1846/2023,
WP/3608/2022,WP/2438/2023,WP/357/2023,
WP/2792/2023,WP/3807/2023,WP/3813/2023,
WP/3653/2022,WP/3959/2022,WP/42/2023,WP/4099/2022,
WP/211/2024,WP/3714/2023,WP/4119/2022.WP/4102/2022,
WP/57/2023,WP/630/2024,WP/58/2023,WP/5245/2022,WP/62/
2023,WP/5186/2022,WP/5235/2022,
WP/5373/2022,WP/84/2023, WP/5279/2022,
WP/4023/2022,WP/5335/2022,WP/5356/2022,WP/
577/2023,WP/345/2023, WP/4724/2024, WP/3273/2023,
WP/1025/2025,WP/1016/2022,WP/3774/2025,WP(L)/31364/20
24,WP/5339/2022,
WP/5019/2022, WP/79/2023,WP/4695/2025,
WP(L)/35644/2025, WP/3487/2025, WP(L)/35890/2025,
WP/610/2023,WP(L)/36495/2025,
WP5154/2022,WP/5151/2022, WP/5325/2022,
WP/2394/2023,WP(L)/39869/2022, WP/769/2023,
WP/139/2023,WP/1135/2023,
WP/214/2023.

Ms. Fatima Lakdawala – AGP for Respondent No.2-State.

Mr. Ashutosh Misra i/b A. A. Ansari, for the Respondent No.2
(Union Of India).

Mr. Pranil Sonawane with Ms. Janhavi Jadhav, for the Respondent
No.3

Ms. Shehnaz V. Bharucha for the Respondent No.3 (Union of India)
in WP/997/2024, WPL/4701/2024 WP/2481/2023,
WP/3101/2023, WPL/18153/2023, WP/3256/2023,
WPL/22835/2023, WP/3273/2023.

Ms. Savita Ganoo a/w Mr. D. P. Singh Mr. N.R. Bubna Advocate for
Union of India in WP/2892/2023, WP/6/2023,
WP/1846/2023, WP/1850/2023, WP/135/2023,
WP/531/2023, WP/582/2023, WP/2416/2023

WP/1697/2023, WP/143/2023, WP/2381/2023,
WP/668/2023, WP/2886/2023, WP/2883/2023,
WP/2415/2023, WP/521/2023.

Mr. R. S. Apte, Senior Advocate, i/b Mr. N. R. Bubna for the Respondent No.3 (Union of India) in WP/3143/2022, WP/2792/2023, WP/3359/2022, WP/3625/2022, WP/3222/2024, WP/3363/2022, WP/1177/2024.

Mr. Ramchandra Apte, Senior Advocate i/b. Mr. Sagar Ambedkar, for Respondent No.3-UOI in WP/646/2023, WP/464/2023, WP/156/2024, WP/2835/2023, WP/587/2023, WP/350/2023, WPL/1878/2023, WP/3146/2022, WP/1228/2023, WP/629/2023, WP/1050/2023, WP/809/2023, WP/3146/2022, WP/697/2023, WP/1129/2023, WP/606/2023, WP/1029/2023, WP/3306/2022, WPL/11801/2023, WP/2500/2023, WPL/13775/2023, WP/3608/2025, WP/357/2023, WP/3653/2022, WP/3959/2022, WP/4099/2022, WP/211/2024, WP/3714/2023, WP/4119/2022, WP/4102/2022, WP/58/2023, WP/5245/2022, WP/62/2023, WP/5186/2022, WP/5235/2022, WPL/29070/2022, WP/5373/2022, WP/5279/2022, WP/4023/2022, WP/5335/2022, WP/5356/2022, WP/577/2023, WP/345/2023, WP/5339/2022, WP/5019/2022, WP/79/2023, WP/610/2023, WP/5151/2022, WP/2394/2023, WP/5325/2022, WP/1342/2023, WP/139/2023, WP/1135/2023, WP/1129/2025, WP/3752/2023, WP/2438/2024, WP/3487/2025, WP/3329/2025. WP/305/2023, WP/3329/2025.

Mr. Manish Doshi a/w Ms. Heena Thakkari/b Vimadalal & Co. for the Petitioners in WP/630/2024.

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

DATED: 17th DECEMBER, 2025.

PC:-

1. At the joint request of the learned counsel appearing for all the sides, these matters are directed to be posted again on 30th January, 2026 at 3.00 p.m.

2. Interim order, granted earlier, if any, to continue till then.

3. At this stage, Mr. Tulzapurkar, learned senior counsel appearing for the Mumbai Port Trust has invited our attention to the order dated 14th July, 2025 passed in this batch of Writ Petitions as well as the subsequent order dated 24th September, 2025 passed by this Court in Interim Application (L) No.2988 of 2025 to submit that both the order project a conflicting position and therefore, some clarification is required. He submits that by the order dated 14th July, 2025, Port Trust was permitted to submit its claim so as to avoid the claims being barred by limitation. However, the order dated 24th September, 2025 prohibits such recourse. The learned senior counsel, however, submits that even if permitted to file, the Port Trust would not press those claims/ Applications without the leave of the Court. After examining the orders referred to hereinabove, we are of the view that projection made by Mr. Tulzapurkar is correct and hence, deserves to be accepted.

4. We, therefore, clarify that the order dated 24th September, 2025 shall not come in the way of the Mumbai Port Trust in filing its claim, if any, as per the observations made in paragraph No.6 of the earlier order dated 14th July, 2025.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)