

**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

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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.

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

**DATE : 6<sup>th</sup> 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 18<sup>th</sup> 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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BIPIN DHARMENDER  
PRITHIANI  
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