

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

**COMMERCIAL SUIT NO. 359 OF 2022**

Inam Abdus Salam and Ors.

.. Plaintiff

**Versus**

Maharashtra Housing and Area  
Development Authority & Ors.

.. Defendants

**WITH  
NMCD NO.3 OF 2023  
WITH  
NMCDL NO.682 OF 2019  
WITH  
LPETN (L) NO.129 OF 2019  
WITH  
INTERIM APPLICATION (L) NO.11519 OF 2023  
IN  
COMMERCIAL SUIT NO. 359 OF 2022**

---

Mr. Sarthak Solaskar i/b. Mr. Vinod Mistry & Co. for the Plaintiff.

Ms. Pooja Yadav a/w. Mr. Gajanan Giri i/b. Ms.Komal Punjabi for  
Defendant No.5-BMC

Mr. Viraj Jadhav i/b. Mr. Chinmaya Acharya for Defendant No.6.

---

**CORAM: FIRDOSH P. POONIWALLA, J.**

**DATE: 19 NOVEMBER, 2024**

**P. C.**

1. The learned Counsel for the Plaintiff draws my attention to an order dated 18 July 2023 passed by a Division Bench of this Court. Paragraph 8 of the said order reads as under:-

*8. Should there be a default in payment of any instalment even after the cure period, the immediate consequence is that the entire amount will be recoverable by MHADA as an enforceable order of this Court against the properties of the Developer, i.e., Manav Builders Pvt Ltd. MHADA will also immediately issue a Notice of Termination or Cancellation of the No Objection Certificate ("NOC") which has been presently issued to the Developer.*

2. Under the said order MHADA is required to take certain actions. By the next date of hearing MHADA will inform this Court as to what is the current position in the matter and as to what actions have been taken by MHADA.
3. The Plaintiffs will serve a copy of this order upon MHADA.
4. Stand over to 3<sup>rd</sup> December 2024.

[FIRDOSH P. POONIWALLA, J.]