

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

WRIT PETITION (L) NO. 12103 OF 2026

(SERIAL NO. 905)

Bhim Nagar Vikas Mandal
Through Udhav Talware
and Ors.

...Petitioners

Vs.

Hubtown Limited (Formerly
Known as Akruti Nirman
Pvt. Ltd.) Thru Its Managing
Director and Ors.

...Respondents

CONTEMPT PETITION (L) NO. 9719 OF 2026

IN

WRIT PETITION NO. 236 OF 2026

(SERIAL NO. 57)

Bhim Nagar Vikas Mandal
Through Udhav Talware
and Ors.

...Petitioners

Vs.

Hubtown Limited (Formerly
Known as Akruti Nirman
Pvt. Ltd.) Thru Its Managing
Director and Ors.

...Respondents

Mr. Rajesh A. Revankar i/by A. G. Revankar and Co. - Advocate for
the Petitioners

Senior Advocate Mr. Ashish Kamath with Adv. Anil R. Mishra - for the
Respondent No. 1.

Mr. Prashant Chawan, Senior Advocate a/w Ms. Kinjal Jain i/by Navdeep Vora and Associates – For Respondent Nos. 2 and 3 and Contemnor Nos. 3, 4 and 5 (MIDC)
Adv. Prakhar Tandon a/w Adv. Aarushi Yadav, Adv. Rutuja Shedge i/by Adv. Ravleen Sabhanval – For Respondent (SRA)

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATE : 08th APRIL 2026

P. C. :-

1. Heard Mr. Revankar, learned Counsel for the Petitioners and Mr. Chawan, learned Senior counsel for Respondent Nos. 2 and 3 in Writ Petition (L) No. 12103 of 2026 and Contemnor Nos. 3, 4 and 5 in Contempt Petition (L) No. 9719 of 2026 and Mr. Tandon, learned counsel for Respondent (SRA).
2. Issue notice to the Respondents.
3. Mr. Chawan, learned Senior Counsel waives services of notice on behalf of Respondent Nos. 2 and 3 in Writ Petition (L) No. 12103 of 2026 and Contemnor Nos. 3, 4 and 5 in Contempt Petition (L) No. 9719 of 2026.
4. Mr. Tandon, learned counsel waives service of notice on behalf of Respondent (SRA).

5. In addition to Court notice, private notice on Respondent No. 1 is permitted.
6. Learned Counsel for the Petitioners submitted that the lottery which has been conducted is in breach of the order dated 18th December 2025 passed by this Court.
7. Mr. Chawan, learned Senior Advocate on the other hand submitted that lottery has been conducted in compliance as per directions of this Court and subsequent orders passed by the Division bench of this Court.
8. Learned counsel for the Petitioners submitted that there is every possibility that as a result of such an illegal manner in which the lottery is held, undeserving persons will be allotted the flats in question overriding the genuine claim of the Petitioners.
9. The affidavit-in-reply be filed by the Respondent within a period of two weeks from today.
10. At this stage, we are not inclined to grant any interim relief. However, we make it clear that all the steps taken shall be subject to the outcome of the petition. The allottees shall be informed of the pending

petition and the interim order. Allottee shall not claim any equity in the event the Petitioners succeeds in which case, they shall handover the vacant possession of the premises to the MIDC or as may be directed by this Court.

11. The learned counsel for the Petitioners submitted that the transit rent has not been paid to the Petitioners since 2007. The developer to ensure that arrears are paid. It is made clear that if the transit rent is not paid to the Petitioners even though they are eligible, we may be constrained to pass appropriate orders restraining the developer from allotting the tenements in question on the next date.

12. List the Writ petition on **5th May 2026** alongwith **Contempt Petition (L) No. 9719 of 2026**.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)