



Salgaonkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.4031 OF 2022

Kalpana Pramod Shah

.. Petitioner

Versus

Union of India & Ors.

.. Respondents

...

Mr.Vikram Nankani, Senior Advocate with Mr.Sanmish Gala and Mr.Abhishek Jhaveri i/b M/s Makrand Gandhi & Co. for the Petitioners.

Mr.Suresh Pakale, Senior Advocate with Mr.R.P.Ojha and Mr.Nilesh Desai i/b Ms.Priyanka Chavan for the Respondent Nos.1 to 3.

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATE : 13th JANUARY, 2026

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P.C:-

1. In pursuance of the order dated 15/09/2021, the learned senior counsel Mr.Pakale has marked his appearance on behalf of the Respondents.

He would raise a preliminary objection about maintainability of the proceedings, as according to him, the remedy for the Petitioner lies before the Small Causes Court.

When we have invited his attention to the previous orders and also the correspondence entered between the parties, with reference to the recommendations of the FARC, according to Mr.Pakale, the proposal was rejected. When we specifically enquired with him, as to where is the rejection of



the proposal for enhancement of rent, he seeks some time, as the said document is not on record.

2. In such circumstances, we deem it appropriate to grant a brief accommodation for formulating the point for consideration, as we have noted that right from the order on 15/09/2021, this Court has presumed that the relief sought by the Petitioner is the implementation of the recommendations in the meeting, thereby enhancing the monthly rent to Rs.6,65,646/- including the taxes and excluding the electricity and water charges as well as the revisions in the rent effected from time to time, and therefore, we would like to hear the stand of the Respondents on this submission in the Petition.

3. Mr.Nankani, learned senior counsel, has also placed reliance upon the Office Memorandum issued by the Ministry of Communications, Department of Posts (Estates Division) as regards the subject of long term leasing and licensing policy for hiring accommodation for office purposes in Department of Posts.

Let Mr.Pakale also obtain instructions as regards the procedure set out in the said Circular, which includes constitution of the FRAC at various levels and the Department to be guided by its recommendations.

4. List on **4th February, 2026**. To be listed on 'Supplementary Board'.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)