

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

**INTERIM APPLICATION NO. 6206 OF 2025
IN
SUIT NO. 291 OF 2024**

Estep Nagar Co-Operative Housing Society Ltd ...Applicant

In the matter between :

Estep Nagar Co-Operative Housing Society Ltd ...Plaintiff

Versus

Vastu Darshan Developers LLP And Ors. ...Defendants

**WITH
INTERIM APPLICATION NO. 6780 OF 2025
WITH
INTERIM APPLICATION NO. 7273 OF 2025
IN
SUIT NO. 291 OF 2024**

Adv. Shanay Shah a/w Adv. Tushar Gujjar, Adv. Deep Madnani i/b SL Partners, for the Plaintiff.

Adv. G. C. Singh, for the Respondent No.1.

Adv. Pradish Suvarna, for the Defendant No.2.

Adv. Sunil C. Khandagale i/b Komal Punjabi, for the Respondent Nos. 6 to 9.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 15, 2026

ORDER :

1. Purely as a last chance to enable the newly added Defendant No. 10 to present its say, stand over to April 18, 2026.

2. Since the Learned Single Judge of this Court has recorded an undertaking by the Defendant No.1-Developer that no cars would be parked so as to obstruct the right of access of the Applicant/Plaintiff, now that the Society has been formed, it would be appropriate to expect the same affirmation from the Society.

3. Learned Advocate for the Plaintiff points to an affidavit-in-reply of the Defendant No.2, the landlord made in Interim Application (L) No. 6206 of 2025, which reads thus :

“4...

4 (i) *Set back area:*

(c). That the Plot of 3950.60 sq. mtrs. was already sub-divided by the Collector vide his letter dated 06/12/2006 subdividing Plot A and Plot B and the setback areas and RG, and it was specifically mentioned in the Individual FPA dated 07/11/2013 at Annexure B, that the Plot B area would be 1734.80 sq. mtrs. on which the Plaintiff building stands. Thus, the Plaintiffs are entitled for conveyance of 1734.80 sq. mtrs. plus the proportionate RG area.”

4. Since this is a statement specifically on oath confirming the entitlement of the Plaintiff for conveyance of the area as set out above, it would only be expected that the action in terms of paragraph 4(c)

extracted above shall be implemented by Defendant No. 2 forthwith. The same shall be completed within two weeks of the upload of this Order on the Court's website.

5. With the aforesaid direction, the matter is stood over to ***April 18, 2026***, to enable the Society to present its say.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]