



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION (L) NO. 18313 OF 2025

Eversmile Construction Company Pvt. Ltd & Anr.  
Versus

...Petitioners

The State of Maharashtra & Ors.

...Respondents

Mr. Virag Tulzapurkar, Sr. Adv. a/w Mr. Abhishek Kothari, Mr. Samit Shukla and Ms. Shivani Khanwilkar i/b Trilegal of Petitioner.  
Mr. Nishigandh Patil, AGP for State R. No. 1, 4 and 5.  
Mr. Ravleen Sabharwal a/w Ms. Aarushi Yadav, Mr. Prakhar Tandon, Mr. Mandar B. Waidande for R. No. 2 – SRA.  
Ms. Meena Dhuri i/b Ms. Komal Punjabi for BMC.  
Ms. Snehal Patange, Sub Eng. DD Dept.

CORAM: G. S. KULKARNI &  
ARIF S. DOCTOR, JJ.

DATE: 25 JUNE 2025

P.C.

1. Not on Board. Upon mentioning taken on board on a praecipe as moved on behalf of the petitioner.
2. On 23 June 2025 we had heard learned counsel for the parties when in terms of our order passed on the even date, we granted an ad-interim protection to the petitioners.
3. Today, an application is moved on behalf of the petitioners by placing on record second additional affidavit of Shri Sahil Modi, Director and Authorized Signatory of Petitioner No.1 to point out further developments, namely, that the petitioner has received further recovery notices dated 13 June 2025 for recovery of Rs.81,73,00,000/- as also a communication dated 17 June 2025 has been issued by

the SRA, in the context of such recovery so as to adjust the said recovery of the amounts as demanded from the 96 tenements which are sought to be attached as set out in the said communication. In view of our specific orders passed on the earlier occasion, we are of the opinion that these communications as placed on record by the second affidavit filed on behalf of the petitioners ought not to be acted upon by the respective authorities till the adjourned date of hearing. Ordered accordingly.

4. It is clarified that the ad-interim protection granted by our earlier orders shall continue to operate.
5. Let affidavit-in-reply to the petition be filed by the respondents.
6. List the petition 'for admission' on **27 June 2025 (HOB)**.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)