

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 2157 OF 2021**

Kapilkunj CHSL ...Petitioner  
*Versus*  
State of Maharashtra & Ors ...Respondents

---

**Mr JS Kini, i/b Sapna Krishnappa, for the Petitioner.**  
**Mr LT Satelkar, AGP, for the State.**  
**Ms Shilpa Redkar, for MCGM.**

---

**CORAM G.S. Patel &  
Madhav J. Jamdar, JJ.**  
**DATED: 12th January 2022**

**PC:-**

1. The 1st and 2nd Respondents waive service. Issue notice to the remaining Respondents. In addition to service through Court, private service is permitted.

2. We will require an Affidavit in Reply from the SRA specifically in view of the statement that the Petitioner society has cancelled the power of attorney granted to the 3rd Respondent developer. If that be so, SRA will need to explain whether it is entertaining any applications made by the 3rd Respondent ostensibly as the constituted attorney of the Petitioner society.

SHEPHALI  
SANJAY  
MORMARE

Digitally signed  
by SHEPHALI  
SANJAY  
MORMARE  
Date: 2022.01.13  
11:30:02 +0530

3. The Affidavit of the SRA is to be filed and served by 28th January 2022.
4. We list the Petition on 8th February 2022.
5. Until then, the SRA will not pass any orders on any application made to it by the 3rd Respondent. It will however ensure that a copy of all applications made by the 3rd Respondent, including any pending application which may have been made in the 3rd Respondent's own name or in the name of the Petitioner as the constituted attorney of the Petitioner, will be given to the Petitioner and its Advocate without fail.
6. All concerned will act on production of a digitally signed copy of this order.

**(Madhav J. Jamdar, J)**

**(G. S. Patel, J)**