

ITEM NO.40

COURT NO.15

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 9726/2025

[Arising out of impugned Interim order dated 17-01-2025 in WP No. 4290/2021 passed by the High Court of Judicature at Bombay]

NARESH BAGARE

Petitioner(s)

VERSUS

VAIBHAV CO-OPERATIVE HOUSING SOCIETY &amp; ORS.

Respondent(s)

(IA No. 86206/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 86207/2025 - EXEMPTION FROM FILING O.T.)

Date : 15-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Omkar Jayant Deshpande, AOR

For Respondent(s)

UPON hearing the counsel the court made the following  
O R D E R

1. The petitioner is aggrieved by the *ad interim* order dated 17.01.2025 passed by the High Court in Writ Petition No.4290 of 2021 "Vaibhav Co-operative Housing Society vs. The State of Maharashtra".

2. Apart from the submissions on merits, learned counsel for the petitioner submits that the petitioner was not heard when the impugned order was passed by the High Court. This apart, the lay out plan of the Society was approved by the Municipal Corporation on the application

of the Administrator of the Society and therefore, the Society has no authority in law to object the said lay out plan.

3. In view of the above, we dispose of the Special Leave Petition with liberty to the petitioner to move to the High Court for the vacation of the interim order dated 17.01.2025.

4. We expect that the High Court will consider the same in accordance with law most expeditiously.

5. Pending application(s), if any, shall stand disposed of.

(Nidhi Mathur)  
Court Master (NSH)

(Geeta Ahuja)  
Assistant Registrar-cum-PS