

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 for Special Leave to Appeal (C) No. 16899/2025

[Arising out of impugned final judgment and order dated 07-04-2025 in WP No. 13935/2023 passed by the High Court of Judicature at Bombay]

M/S. NEELKAMAL REALTORS SUBURBAN PVT. LTD. Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS. Respondent(s)

FOR ADMISSION and I.R.

IA No. 327154/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 147418/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 147416/2025 - EXEMPTION FROM FILING O.T.

IA No. 114943/2026 - INTERVENTION APPLICATION

IA No. 6307/2026 - INTERVENTION/IMPLEADMENT

IA No. 222808/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 191917/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 22-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Mukul Rohatgi, Sr. Adv.
Mr. A.n.s. Nadkarni, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Mohd. Himayatullah, Adv.
Mr. Ankur Saigal, Adv.
Mrs. S. Lakshmi Iyer, Adv.
Ms. Deepsikha Mishra, Adv.
Ms. Shivani Agarwal, Adv.
Mr. L. Nidhiram Sharma, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s) :Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

M/S. Black & White Solicitors, AOR
Mr. Suhaskumar Kadam, Adv.
Mr. Tisham Pati Sen, Adv.
Mr. Dharav Shah, Adv.
Mr. Shubham Saini, Adv.
Mr. Aayush Maheshwari, Adv.
Mr. Pranaya Goyal, AOR
Mr. Laxmikant Matadan Shukla, AOR
Mr. Ravinder Kumar, Adv.
Ms. Vidisha Sharma, Adv.
Mr. Rakesh Binjola, Adv.
Mr. Sanjay Kumar Ragar, Adv.
Mr. Shakil Sheikh, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

IA No. 6307/2026

1. This application is ordered and the Mumbai Metropolitan Region Development Authority is brought on record as respondent No.5.
2. Learned counsel appearing for the said authority seeks time to file a counter affidavit.
3. Needful shall be done within four weeks from today.
4. Rejoinder(s) thereto, if any, may be filed within two weeks thereafter.
5. In the meanwhile, as we have already permitted the DB Ozone Home Buyers Association to intervene in this matter and we are informed that, apart from the 1,100 members who form this association, there are several other home buyers, 3,300 in number, who are in occupation of the buildings but are not in a position to enjoy their properties fully for want of an occupancy certificate from the Mira Bhayander Municipal Corporation. Irrespective of whatever issues the said corporation and the newly impleaded authority may have with the developer, it is not open to these authorities to hold to ransom the innocent home buyers, who are in

occupation of the apartments in these buildings. The authority and the corporation shall, therefore, undertake an inspection of the completed buildings and submit a report to this Court as to whether there are any grounds to withhold issuance of an occupancy certificate/partial occupancy certificate, other than the issues that they seek to raise against the developer.

6. Further, the authority and the corporation shall also ensure that basic amenities are provided to the occupants of these apartments.

7. The Report, in terms of this order, shall be filed by the corporation and the authority within six weeks. Advance copies thereof shall be supplied to the counsel appearing in this matter.

8. Re-list the special leave petition on 27.08.2026.

IA No. 114943/2026

1. We find no reason to entertain this intervention application filed by a third party who is not affected by this litigation.

2. The application is, accordingly, dismissed.

(IRAMNAZ)
COURT MASTER (SH)

(PREETI SAXENA)
COURT MASTER (NSH)