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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6418 OF 2017

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Lok Housing & Construction Ltd.

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Ms. Rishika A. Jain i/by Fox Mandal & Associates LLP
for the petitioner.

Mr. Bapusaheb Dahiphale, AGP for respondent Nos.1 &
2-State.

Mr. Bhavik Manek with Mr. Mukesh Gupta, & Ms.
Ashwini Patel i/by M/s. Solicis Lex for respondent
No.3.

Mr. G.S. Bhat for respondent No.5.

CORAM : AMIT BORKAR, J.

DATED : APRIL 2, 2025

P.C.:

1. Learned Advocate for respondent No.3 has moved a praecipe seeking correction in the Judgment dated 26 March 2025 as follows:

a) In the sixth line of paragraph 10, the words “civil suit filed by the petitioner,” be corrected to read “civil suit filed by respondent No.3,”

b) In the third line of paragraph 12, the words “an apex body or federation,” be corrected to read “such society or societies,”

- c) The sentences from sixth line of paragraph 33 be corrected to read as under:

“As rightly pointed out by the learned Advocate appearing for respondent No.3, the sanctioned lay-out plan which was disclosed to the purchasers of respondent No.3-Society at the time of execution of agreements clearly showed four wings under Building 5, each consisting of 12 storeys. ~~Subsequently, however, the petitioner unilaterally revised the sanctioned plan and introduced a fourth building under Building C-5.~~ Furthermore, after the revised sanction, the actual construction carried out for three wings ~~of C-5~~ was of stilt plus 16 floors, thereby consuming the entire permissible Floor Space Index (FSI) under the Development Control Regulations.”

- d) The reference to the date “17th October 2016” in ninth line of paragraph 37 be corrected to read “17th February 2017”.

2. Rest of the Judgment shall remain as it is.

3. Original Judgment dated 26 March 2025 be corrected accordingly and upload the same as order No.2 in this matter.

(AMIT BORKAR, J.)