

M/s. Varun Trading Company ...Petitioner
vs.
Maharashtra Housing and Area
Development Authority and Another ...Respondents

CORAM : SHANTANU S. KEMKAR &
PRAKASH D. NAIK, JJ.

P.C.:

1. Parties through their counsel.
2. Challenging the order dated 4th July, 2012 (Exhibit X) by which the allotment of the land made in favour of the Petitioner for running a school has been cancelled by the Respondents, the Petitioner has filed this Petition.
3. According to the Petitioner, the Petitioner has deposited the amount as was required to have deposited on delayed payment, interest was also charged which the Petitioner had paid. Subsequently,

communication was received by the Petitioner that as the area of the land was more than what was earlier shown, the Petitioner was asked to pay the additional amount. The additional amount was also paid by the Petitioner and the draft Lease Agreement was prepared. However, by the impugned communication the Petitioner has been informed about the cancellation of the agreement on the ground that initial amount was not paid by the Petitioner within 90 days.

4. The case of the Petitioner is that the matter requires to be reconsidered by the Chief Officer of Respondent No. 2 in the light of policy decision dated 3rd October, 2012.

5. The learned counsel for Respondent No. 2 submits that in case the Petitioner submits a fresh detailed representation, the same will be considered by the Chief Officer of Respondent No. 2 in accordance with law and in terms of the said policy.

6. In view of the aforesaid submission as agreed by learned counsel for the parties, we dispose of this Petition with liberty to the Petitioner to submit a detail representation before Respondent No. 2.

On receipt of the same, Respondent No. 2 shall take fresh decision keeping in view the aforesaid policy in regard to the Petitioner's representation without being influenced by the order impugned in this Petition.

7. Let the decision as aforesaid be taken by Respondent No. 2 within two months from the date of receipt of copy of this order.

8. Till the Petitioner's representation is decided afresh, the subject land shall not be allotted to any other party.

9. The Petition stands disposed of as such.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)