

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6697 OF 2014

Neilsoft Ltd.	.. Petitioner
Vs.	
Maharashtra Industrial Development Corporation and ors.	.. Respondents

Mr.Vishal Shriyan a/w Mr.Shrikant Mantrawadi i/b Khaitan & Co., for the Petitioner.
Mr.Prashant Chavan i/b Navdeep Vora & Associates, for Respondent No.1.
Mr.Pradeep S. Jetly & Mr.M.S.Bhardwaj, for Respondent No.2.
Ms.R.M.Shinde, AGP for Respondent No.3.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 16th SEPTEMBER, 2016**

P.C. :

- . Parties through their Counsel.
2. By filing this Petition under Article 226 of the Constitution of India, the petitioner has challenged the rejection notice dated 23/04/2014 Exhibit 'AE' as also the eviction notice dated 17/06/2014 Exhibit 'AG'. According to the petitioner, due to various difficulties described in the Petition, the petitioner

could not carry out the construction. He submits that the prayer for extension was made by the petitioner on 22/02/2011. The same was rejected after more than 3 years vide the impugned order dated 23/04/2014. According to the petitioner, the petitioner bonafide wants to raise construction and start Information Technology Unit at the place allotted to him.

3. Having gone through the impugned order, we are of the view that for the reasons stated in the Petition, the respondents are required to consider the reasons stated by the petitioner seeking extension of time. We are also of the view that fresh reasoned order needs to be passed.

4. Keeping in view the larger public interest, we are inclined to dispose of this Petition by quashing the impugned order and by directing respondents No. 1 & 2 to reconsider the petitioner's case afresh. The petitioner is also directed to file representation before respondents No. 1 & 2 within 2 weeks from today. Thereafter, Competent Authority of respondents No. 1 shall give opportunity of hearing to the petitioner and pass appropriate reasoned order within 2 months. The petitioner to

appear before Competent Authority of respondents No. 1 along with representation on 30/09/2016 at 3.00 p.m. In case of favourable order being passed by respondent No.1, petitioner to apply for consequential necessary order before 2nd respondent and 2nd respondent shall consider the petitioner's application and pass appropriate reasoned order on that application.

5. Needless to say that we have not commented upon the merits of the matter.

6. The Petition is disposed of.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)