

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2598 OF 2014

Jinender Kumar Jain & Ors.

.... Petitioners

V/s.

State of Maharashtra & Anr.

.... Respondents

Mr. H.V. Tamanna, a/w. Mr. Nikit Jani, i/by M/s. Vigil Juris, for the Petitioners.

Mr. Bharat Mehta, A.G.P., for Respondent No.1-State.

CORAM : S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 10TH AUGUST, 2016.

P.C. :

1. Having heard the petitioners' advocate, we are not persuaded to entertain this Writ Petition.
2. The learned advocate for the petitioners tried to convince us that the MMRDA could not have backed out and after a solemn assurance and promise.
3. We do not think that merely because the MMRDA has offered to return the money @ 6% interest and which is the real pinching issue for the petitioners, that we can entertain this Writ Petition.

4. The petitioners have all the remedies to claim such amounts by way of compensation and damages, as is permissible in law, but by instituting appropriate proceedings. Writ Petition is not the remedy for such relief. Hence, it is dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [S.C. DHARMADHIKARI, J.]