

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.480 OF 2018

Sanofi India Ltd. Petitioner.

Versus

Goa Industrial Development
Corporation Ltd and another. Respondents.

Mr. A. F. Diniz, and Mr. Ryan Menezes, Advocates for the
Petitioner.

Mr. D. Lawande, Advocate General with Mr. P. Dangui,
Government Advocate for the Respondent No.1.

Mr. D. Lawande, Advocate General with Mr. P. Dangui,
Government Advocate for the Respondent No.2.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 23 October 2018.

P.C.:

Heard the learned Counsel for the parties.

2. This Petition has been adjourned from time to time and orders have been passed in respect of the interpretation of the policy of the Respondents. On the last occasion, the learned Advocate General had taken time to consider the matter. The learned Advocate General states that he has discussed the matter with the Managing Director – Respondent No.2 and it is decided to

withdraw the impugned order wherein the Corporation has decided to charge the lease rental as applicable as on today on the basis that there has been a substantial change in the lease deed. The learned Advocate General states that treating the Petitioner as any other leaseholder, without going into the aspect of change of name, if the Petitioner is liable to pay certain incremental rent as part of a general policy applicable to all, the Petitioner will have to pay the same.

3. The main grievance made by the Petitioner was regarding imposition of lease rental existing as on today on the basis of the permitted change in name in the lease deed, and singling out the Petitioner on that ground. Since this aspect of the matter is being withdrawn, it is obvious that if the Petitioner is otherwise as a regular leaseholder liable to pay certain incremental charges, he will have to pay the same.

4. In view of the above statement of the learned Advocate General, the Writ Petition is disposed of in the above terms. The learned Advocate General states that a clarificatory communication will be given to the Petitioner within a week from today.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.