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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8754 OF 2018

Business Combine Ltd. .. Petitioner
Vs.
The State of Maharashtra & Anr. .. Respondents

Mr. R. S. Apte, Sr. Advocate a/w. Mr. Vishvas Deo i/b Phoenix Legal for the Petitioner.

Mr. R. R. Dube-Patil i/b Jay & Co. for the Respondent No.2-MIDC.

Mr. A. I. Patel, AGP for the Respondent No.1-State.

CORAM : R. M. SAVANT & K. K. SONAWANE, JJ.
DATE : 24th AUGUST, 2018.

P. C. :

1. The Petitioner has been in possession of Plot bearing No. 16A (Green Belt land) admeasuring 7,560 sq. mtrs. situated at Nashik Industrial Area, Satpur MIDC, Nashik. The dispute in respect of the said plot revolves upon the execution of the lease deed, which is prayed for by the Petitioner, and the demand for the lease rent which according to the Respondent No.2 has not been paid from the date when the possession of the plot was handed over to the Petitioner. The alleged non payment of lease rent is a contentious issue between the Petitioner and the Respondent No.2. Be that as it may, the Petitioner has made a representation dated 29.03.2017 to the Respondent No.2 followed by further representation dated 21.04.2017. No decision seems to have been taken on the said representations made by the Petitioner.

2. We are of the view that it would be appropriate if the Respondent No.2 takes a decision on the said representations one way or the other so that the parties know where they stand. We, therefore, direct the Respondent No.2 to take a decision in respect of the two representations of the Petitioner within eight weeks from date and communicate the decision to the Petitioner.

3. Needless to state that we have not gone into the rival contentions of the parties and the said contentions are, therefore, exclusively kept open for the parties to urge them at the appropriate stage in appropriate proceeding.

4. Pending the consideration of the representations, the matter would not be proceeded with by the respondent No.2. The Petitioner would be at liberty to supplement the said representations by further material, which to be filed within four weeks from date.

5. With the directions as aforesaid, the Writ Petition is disposed of.

6. All parties to act on a copy of the instant order duly authenticated.

[K. K. SONAWANE, J.]

[R. M. SAVANT, J.]

Arjun
Machhindra
Kadam

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by Arjun
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2018.08.28
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