

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 524 OF 2018

Polestar Infrastructure Pvt Ltd & Anr	...Petitioners
<i>Versus</i>	
The State of Maharashtra & Ors	...Respondents

Mr Mahesh Menon, *with Nilesh Tated & Aman Kachoria, i/b DSK*
Legal, for the Petitioners.
Mr US Upadhyay, *AGP, for Respondent No. 1.*
Mr Harinder Toor, *with Jaywardhan Kale, for Respondent No. 3.*

CORAM: G.S. PATEL, J
DATED: 21st February 2018

PC:-

1. **Rule.** Respondent No. 3 waives service. Respondents Nos. 1 and 2 are absent though served. Affidavit of Service is taken on record. Rule is made returnable forthwith.

2. The limited grievance is that the Petitioners' Appeal No. 43 of 2017 is not being taken up on a priority basis although the Slum Rehabilitation Authority has undertaken in parallel the matter of conducting a valuation and possibly appointing another developer. The Society, Respondent No. 3, has also filed Appeal (L) No. 8 of 2018. This is pending admission. The Society has chosen the

Petitioner No. 1 as its developer and Petitioner No. 1 has obtained the necessary permissions. The Annexure-II has also been finalized.

3. In light of this, the Appellate Authority is requested to take up the Petitioners' Appeal No. 43 of 2017 as also the 3rd Respondent's Appeal (L) No. 8 of 2018 on a priority basis and to dispose of both at the earliest possible and, in any event, before 3rd May 2018.

4. In the meantime, there will be an injunction in terms of prayer clause (c) in regard to the impugned order of 18th August 2017.

5. I am informed that no new or alternate developer has yet been chosen or selected. Hence, there is no prejudice likely to be caused to any other party.

6. Rule is made absolute in these terms. There will be no order as to costs.

(G. S. PATEL, J)