

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

WRIT PETITION NO.9540 OF 2019

Mehta Builders	...	Petitioner
versus		
Union of India and Ors.	...	Respondents

Mr. Sanjay Kshirsagar, for Petitioner.

Mr. S.I.Shah with Mr. Ajinkya Jaibhave, for Respondent Nos.1 to 4 and 7.

Mr. Yakshay Chheda i/by Parinam Law Associates, for Respondent Nos.5 and 6.

**CORAM: S.J. KATHAWALLA &
B.P.COLABAWALLA, JJ.**

DATE: 17th DECEMBER, 2019

P.C.:

1. The learned Advocate appearing for Respondent Nos.5 and 6 states that if the Petitioner files a fresh proposal with Respondent Nos.5 and 6 along with an undertaking to pay rent chargeable at commercial rates right from inception i.e. the date on which the Petitioner started using the premises for commercial use, the Respondent Nos.4 and 6 shall forward the proposal to Respondent No.2 and await their decision in the matter. The statements are accepted. In the event of the Petitioner filing a fresh proposal within a period of two weeks from today, Respondent Nos.5 and 6 shall forward the same to Respondent No.2 within a period of one week thereafter and Respondent No.2 shall give its decision qua the proposal within a period of four weeks thereafter.

2. In the meantime, Respondent Nos.5 and 6 shall not act on the impugned notice dated 11th July, 2018 and shall also not act on the same for a period of two weeks in the event of Respondent No.2 passing an order rejecting the proposal of the Petitioner.

3. The Writ Petition is accordingly disposed of.

(B.P.COLABAWALLA, J.)

(S.J.KATHAWALLA, J.)