

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

CRIMINAL APPEAL NO. 1164 OF 2019

M/s Nyati Housing

...Appellant

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. P.K. Dhakepalkar Senior Advocate i/by Mr. Jaydeep Deo for the Appellant.

Ms. M.M. Deshmukh, APP for Respondent – State.

Mr. Pravin R. Chavan, Special P.P for Respondent Nos. 3 and 4.

**CORAM : S. S. SHINDE &
N. B. SURYAWANSHI, JJ.**

DATE : 18th OCTOBER 2019

PER COURT :

1. At the outset learned counsel appearing for the Appellant tendered across the bar copy of the undertaking of Appellant dated 17th October 2019. Same is taken on record and marked 'X' for identification.

2. For the reasons to be recorded separately, following order is passed.

a) The Criminal Appeal is allowed in terms of prayer clause 'b'.

- b) With the further directions that in terms of the undertaking presented by the appellant on record today, the 46 Flats to be constructed by the appellant within period of three years from the date of commencement of construction, shall be handed over to the Respondent No. 1 – State Authority as mentioned in the paragraph No. 5 of the undertaking.
- c) We hope, trust and expect from the appellant that, the appellant commence the construction within a reasonable time from the date of present order.

3. We have confined our order only to the extent of present proceedings. We have not expressed any opinion about other proceedings, if any, pending before any other Authority / Appropriate Forum / Court of law.

(N. B. SURYAWANSHI, J.)

(S. S. SHINDE, J.)