

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

**CIVIL APPLICATION NO. 2120 OF 2018
IN
WRIT PETITION NO. 6751 OF 2015**

M/s. Darshan Corporation ... Applicant

In the matter between

The Estate Investment Co Pvt Ltd. ... Petitioner
V/s.

Divisional Commissioner and Ors. ... Respondents

Mr. Sandesh Patil for Applicant in CAW No. 2120 of 2018
Mr. Aditya Mehta a/w Kinjal Shah and Arushi Dube i/b
Rashmikanth and Partners for the Petitioner.
Mr. Y.D. Patil, AGP for Respondent Nos. 1 to 5- State.

CORAM : N.R. BORKAR, JJ.
DATE : 2nd March, 2020.

P.C.

1. The present Civil Application is taken out with
following prayers

*“ (a) this Hon’ble Court may be
pleased to allow the present Civil
Application of the Applicant and the
Applicant be made party (as Respondent
No. 6) in the captioned Writ Petition
bearing its No. 6751 of 2015.*

*(b) This Hon’ble Court be pleased
to clarify that the said ad-interim orders
dated 16th July 2015 and 6th August 2015
are not applicable to the said
property/lands of the applicant mentioned*

in para 1; and this Hon'ble Court be pleased to direct Respondent No. 4 to reconsider the application dated 19/08/2017 for accepting conversion tax and application for transfer of revenue records of the Applicant in respect of the said land, notwithstanding the ad- interim order dated 16th July 2015 and 6th August 2015 in the Writ Petition No. 6751 of 2015.

(c) Pending the hearing and final disposal of this Civil Application, this Hon'ble Court be pleased to grant interim and ad-interim reliefs in terms of prayer clause."

2. The learned Advocate for the Applicant during the course of hearing of present application has pointed out the order passed by this Court on 12th December 2017, more particularly clause (vi), and submitted that applicant will not press other prayers made in the application, if identical order is passed.

3. The learned advocate for the Petitioner has not objected to the request made by the applicant.

4. The learned AGP appearing for Respondent Nos. 1 to 4 has however stated that applicant be asked to make fresh

application.

5. In view of above, the present application is disposed of in the following terms.

The applicant shall make fresh application to the concerned authorities within a period of six weeks and the same shall be considered by the concerned authorities on its own merits expeditiously.

(N.R. BORKAR, J.)