

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

WRIT PETITION NO.13191 OF 2018

Sandip Raghunath Dhake

...Petitioner

vs.

City and Industrial Development
Corporation (CIDCO) & Ors.

...Respondents

.....

Ms. Cristina Carlos, Advocate for Petitioner.

Mr. B. B. Sharma, Advocate for Respondent No.1.

CORAM : C.V. BHADANG, J.

DATE : 07th JANUARY, 2020

P.C.

. Heard learned counsel for the petitioner and learned counsel for the first respondent.

2. By this petition, the petitioner is seeking a direction to the first respondent to issue no objection certificate (NOC) for transfer of the membership of the petitioner on payment of transfer charges.

3. Learned counsel appearing for the first respondent points out that the petitioner and for the matter of that, the second respondent society has not even applied to the first respondent for grant of NOC and therefore, the request is pre-mature.

4. The record discloses that on 10/12/2019, a statement was made on behalf of the petitioner that the petitioner shall ask the administrator of the second respondent society to make a formal

request to the first respondent for grant of NOC for the transfer of said membership.

5. Learned counsel for the first respondent had made a statement that if such request is received, the first respondent shall process the application in accordance with law.

6. In that view of the matter, the petition is disposed of with liberty to the petitioner to move the administrator to make a formal request to the first respondent for grant of NOC within a period of three weeks. Needless to mention that if such request is made, the first respondent shall process the same in accordance with law.

7. The petition is disposed of in the aforesaid terms with no order as to costs.

C.V. BHADANG, J.