

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3572 OF 2021****The Bombay Dyeing and Manufacturing Company Ltd. ... Petitioner****Versus****State of Maharashtra and others ... Respondents****.....**

Mr. M.M. Vashi, Senior Advocate alongwith Mr. Santosh Shetty and Ms. Pooja Diwan instructed by M.P. Vashi & Associates for the Petitioner.

Mr. S.S. Panchpor, AGP for the State.

Mr. C.G. Gavanekar alongwith Mr. Ahsutosh Gavnekar for Respondent Nos.3, 4 & 5.

.....**CORAM : S.J. KATHAWALLA AND****MILIND N. JADHAV, JJ.****DATED : DECEMBER 8, 2021.****P.C. :-**

1. Heard the Learned Advocate appearing for the parties. The Order dated 7th July, 2021 passed by the Divisional Commissioner, Konkan Division and Order dated 15th/25th March, 2021 passed by the Deputy Chief Executive Officer, Raigad Zilla Parishad, Alibag are set aside without going into the merits.
2. Respondent No.4 - Chief Executive Officer of the Raigad Zilla Parishad is directed to forthwith forward the proposal received from Respondent No.3 - Gram Panchayat alongwith the necessary documents and the remarks of the standing committee to the Divisional Commissioner, who in turn will forward the same to the

State Government alongwith his comments. On receipt of such proposal, the State Government would take into consideration the provisions of the Bombay Village Panchayats Act, 1958 and the Maharashtra Village Panchayats Act (Payment of Lump Sum Contribution by Factories in lieu of Taxes) Rules, 1961 and take appropriate decision in the matter as expeditiously as possible, preferably within three months from the date of receipt of such proposal. In the meantime, interim order shall remain in force till the decision by the State Government. All contentions of the parties are kept open. If the decision of the State Government is adverse to the Petitioner, the same shall not be acted upon for a period of two weeks thereafter. The Petitioner undertakes to pay the future payments in accordance with law. The undertaking is accepted. The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)