

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2859 OF 2021

Money Magnum Nest Private Limited

... Petitioner

Vs.

The State of Maharashtra & Anr.

... Respondents

Mr. Ravi Kadam, Sr. Counsel a/w Mr. Karl Tamboly, Counsel a/w Mr. Vivek Vashi a/w Ms. Chandni Dewani i/by Vashi and Vashi for the Petitioner.

Mr. Amit Shastri, AGP for Respondent No.1-State.

Mr.A.Y. Sakhare, Sr. Counsel a/w Joel Carlos and Pooja Yadav i/by Sunil Sonawane for Respondent No.2-MCGM.

**CORAM : A.A. SAYED &
ABHAY AHUJA, JJ.**

DATE : 15TH DECEMBER 2021

P.C. :

1. On 25th October, 2021, we had passed the following order :-

- "1. List the Petition on 22nd November, 2021, 'High on Board'.*
- 2. Let the representation dated 16th October, 2021 of the Petitioner through Architect made to the Sub-Engineer, Building Proposal (City)-IV (Exh. 'F', page 64 of the Petition) be decided before the next date and a copy of the said decision be placed on record on the next date."*

2. Despite the aforesaid order, the said representation has not been decided. It is pointed out that such representation is also made to the

Principal Secretary, Urban Development Department on 22nd October, 2020 (Page 390 of the Petition).

3. In the circumstances, we direct the Principal Secretary, Urban Development Department to decide the aforesaid representation dated 22nd October, 2020 of the Petitioner within one week from the day this order is placed before him. The Petitioner is permitted to file additional representation, which shall be filed within two days from today.

4. In view of the above, learned Senior Counsel for the Petitioner seeks leave to withdraw the Petition. The Petition is allowed to be withdrawn and to stand disposed of. All contentions of the Petitioner including the contention that the Petitioner would be entitled to the 50% concession granted by the State Government on the premium payable by the Developers (in the event the concession is not extended beyond 31st December, 2021) for the alleged wrongful rejection of the proposal, are kept open.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)