

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 WRIT PETITION NO.4030 OF 2022

SIDDHI FORGE PVT. LTD. THR ITS DIRECTOR SHRIHARI
DOULATRAO TIPUGADE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

AND

938 WRIT PETITION NO.4135 OF 2022

SIDDHI CNC PVT. LTD. THR ITS DIRECTOR SHRIHARI
DOULATRAO TIPUGADE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioners : Shri Latange V.P.

AGP for the Respondents/ State : Shri S.G. Karlekar

Advocate for Respondents 2 to 4/ MIDC : Shri S.S. Dande

...

CORAM : RAVINDRA V. GHUGE

&

ANIL L. PANSARE, JJ.

DATE :- 22nd June, 2022

Per Court :-

1. We have considered the submissions of the learned advocate for the petitioners and the learned AGP on behalf of the State. Since an innocuous prayer was being pressed by the petitioners that we requested the learned advocate Shri Dande, who was available to assist the Court on behalf of the MIDC

since he normally appears for the MIDC.

2. The petitioners have drawn our attention to the order passed on 08.04.2021 in Writ Petition No.100/2020 filed by ***Aviraj Devichand Dongre versus The State of Maharashtra and others*** and more specifically paragraphs 2, 3, 4 and 5 of the said order, which read as under :-

- “2. Mr. Dande, learned counsel for the respondent Nos. 2 to 4 submits that the petitioner has not filed any application pursuant to the same.
3. In the light of that, we pass the following order.
4. The petitioner may file his application with the respondent No. 2 through respondent No. 3 showing the legality of the allotment of the plot. The respondent No. 2 shall consider the application of the petitioner on its own merits and shall take decision on it expeditiously and preferably within a period of four (04) weeks from the date of application.
5. Writ petition accordingly is disposed of with aforesaid observations. No costs.”

3. We have recorded the solemn statement made by the learned advocate for the petitioners, on the basis of the pleadings and instructions, that though the applications of the these petitioners are pending, the MIDC has not conducted a hearing on the same, in the sense that the said applications will have to be considered and responded to by the MIDC. If the MIDC requires assistance of the petitioners and notices are issued to

them, they would personally appear and assist the MIDC for delivering the decision on the pending representations.

4. In the first petition, the representation is at page 82 dated 07.09.2016 and in the second petition, it is at page 83 dated 07.09.2016. These representations are presented before respondent No.3, who has to forward it to respondent No.2.

5. In view of the above, both these Writ Petitions are disposed off.

6. We direct respondent No.3 to forward the representations of the petitioner to respondent No.2 expeditiously, if not already forwarded. We expect respondent No.2 to consider the said representations/ applications in accordance with the rules/ policies applicable. If felt necessary, the petitioners may be called upon to furnish additional information or any clarification. Needless to state, after considering the representations and the available material, respondent No.2 would pass a reasoned order, preferably on or before 15.09.2022 and the copy thereof would be supplied to the petitioners within a fortnight thereafter.