

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5576 OF 2022

Macrotech Developers Ltd. ... **Petitioner**
Versus
The State of Maharashtra & Anr. ... **Respondents**

Mr. Jeet Gandhi, Advocate for the Petitioner.

Mrs. P. J. Gavhane, AGP for the Respondent No.1/State.

Mr. A. Y. Sakhre a/w. Mr. Saket Mone and Mr. Devansh Shah i/b. Vidhii Partners, Advocate for the Respondent No.2/MMRDA.

**CORAM: S.V. GANGAPURWALA &
DHIRAJ SINGH THAKUR ,JJ.**

DATED : JUNE 14, 2022

P.C.

1. The learned Counsel for the petitioner submits that he would restrict the present petition to the extent of prayer clause (b) i.e. seeking direction of deciding the representations. Affidavit filed by the respondent No.2. Paragraph 17 and 18 of the affidavit read thus :

“17. With respect to that Petitioner’s request to not charge interest in accordance with the terms and conditions of the said Agreements to Lease on the lease premium for Part II of the Built Up area prior to 26th December 2017, i.e. prior to issuance of the Final No Objection Certificate by the Airport Authority of India, it is submitted that as per the decision taken by this Respondent during it’s 151st Meeting held on 16th November 2021, a Committee has been constituted to give opinion on Petitioner’s request of not charging interest on BUA PART – II prior to 26th December 2017. The Committee’s deliberations are in progress and all the earlier representations of the Petitioner

including points raised in this Petition are being discussed.

18. Hereto annexed and marked as **Exhibit "A"** and **Exhibit "B"** are copies of the Minutes of the Authority Meeting held on 26th November 2021 and Office Order dated 13th December 2021 issued by the Metropolitan Commissioner of Respondent No.2 constituting the said Committee, respectively. The said Committee shall place it's report before MMRDA Authority in its next meeting and Authority will take a decision on the request of the Petitioner."

2. In view of the affidavit filed by respondent No.2, the respondent shall decide the representations of the petitioner preferably within four months. Depending upon the decision taken, parties may take appropriate steps.
3. The writ petition is accordingly disposed of. No costs.

(DHIRAJ SINGH THAKUR , J.) (S.V. GANGAPURWALA, J.)

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