

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

Writ Petition No. 11038 of 2018

Shri Hemant Prabhakar Joshi & anr. ... Petitioners
v/s.
The State of Maharashtra & ors. ... Respondents

Mr. K.S.Deval i/b. Mr. Jayesh M. Joshi, Advocate for the Petitioner.

Mrs. M.P. Thakur, AGP for State.

Mr. Saurabhoka for Respondent No.5

Mr. Rakesh Agrawal for Respondent No.4.

**CORAM : S.V. Gangapurwala &
Madhav J. Jamdar, JJ.**

27th July 2022

P.C.

It is submitted by the learned Counsel for the Petitioner and Respondent No.5 that the land owned by their father was acquired by MIDC. As per the scheme a plot has to be allotted to the person whose property is acquired. The Petitioner had made an application for allotment of plot. Respondent No.5 raised an objection. The Petitioner and Respondent No.5 are real brothers.

2. It is submitted that the dispute is pending between the Petitioner and Respondent No.5 in the Civil Court with regard to the ancestral property and/or otherwise.
3. In such a scenario the Respondent No.1-MIDC may consider allotting the plot, which would have been allotted to the father of the Petitioner, jointly to the Petitioner and Respondent No.5.
4. With these observations, Writ Petition is disposed of.

(Madhav J. Jamdar, J)

(S.V.Gangapurwala, J)

Lata Panjwani, P.S.