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

WRIT PETITION NO.7949 OF 2022

Ahmed Amin Aherwadi ... Petitioner
Versus
The City and Industrial Development
Corporation of Maha. Ltd. & Ors. ... Respondents

Mr. Anand Bhangare for the Petitioner.
Mrs. M. P. Thakur AGP for the Respondent-State.
Mr. G. S. Hegde a/w Ms. P. M. Bhansale for Respondent Nos.1 to 3.

**CORAM : S. V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : 7TH JULY 2022

P.C. :

1. The grievance of the Petitioner is that the Petitioner had applied for the plots pursuant to the Advertisement. The Petitioner has deposited EMD. For six months, EMD is lying with the Respondent-CIDCO. Abruptly, the tender is cancelled without assigning reasons. The same is arbitrary.

2. Learned Counsel for the Respondent-CIDCO submits that even otherwise the Petitioner has remedy before the Managing Director of CIDCO. The Petitioner can avail remedy. Learned Counsel for the Respondent-CIDCO also disputes the contention of the Petitioner.

3. In view of the fact that the Petitioner has remedy before Managing Director of CIDCO, as contended by learned Counsel for CIDCO, we are not inclined to go into the merits of the contentions of the parties, they are kept open.

4. The Petitioner may file representation/application with Managing Director, within a period of one week from today. If such representation/application is filed within one week from today, the Managing Director shall consider the said representation/application and take a decision according to its own merits and according to law/policy, preferably within six weeks from the date of receipt of the representation/ application. The Petitioner may appear before the Managing Director.

5. Till the decision is taken by the Managing Director, further proceeding regarding allotment of writ land may not be undertaken. Depending upon the decision taken by the Managing Director, further steps be undertaken.

6. In view of the aforesaid, the above Writ Petitions are disposed of.

(S. M. MODAK, J.)

(S. V. GANGAPURWALA, J.)