

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

CIVIL APPLICATION (W) NO. 990/2022 IN
WRIT PETITION NO.1223 OF 2021

Sachin s/o Motiraoji Raipure and others.

Vs.

Union of India, Ministry of Housing and Urban Affairs, through its Secretary, New
Delhi and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.S.Charpe, Advocate for petitioners.

Shri N.S.Deshpande, Assistant Solicitor General of India, for respondent
no.1.

Shri N. S. Rao, Assistant Government Pleader for respondent no.2.

Shri G.A.Kunte, Advocate for respondent nos. 3 and 4.

CORAM :- SUNIL B. SHUKRE AND SMT. M.S.JAWALKAR, JJ.

DATE :- MAY 02, 2022.

In view of the desire expressed by petitioner nos. 1,
2, 3, 19 and 20 in the application to withdraw the petition,
they are allowed to withdraw the petition.

The application stands disposed of.

WRIT PETITION NO. 1223/2021

In view of allowing of the application bearing Civil
Application (W) No.990/2022 filed by the petitioner nos. 1, 2,
3, 19 and 20 i.e. Sachin Motiraoji Raipure, Pranita Pramod
Tambode, Pravin Diwakar Alone, Sudhakar Purushottam
Lakshane Govardhan Nirankan Bansod and Sachin Prabhakarji
Lambhade respectively, the writ petition is disposed of as
withdrawn.

Shri R.S.Charpe, learned counsel for the petitioner
no.11 on instructions seeks oral leave of this Court to
withdraw the petition.

Leave as prayed for is granted. The petition is
disposed of.

2. The petitioners barring petitioner nos. 1, 2, 3, 11, 19 and 20 are facing difficulties in paying the price demanded as consideration for getting the ownership of the residential apartments constructed under the Prime Minister's Housing Scheme by the respondent nos. 3 and 4 within the last date stipulated in the demand notice. Now, the learned counsel for the petitioners submits that if further time is granted to these petitioners, the petitioners would be in a position to obtain necessary loans for their banks and thus would be in a position to pay the price of the residential apartments as consideration.

3. The learned counsel for the respondent nos. 3 and 4 submits that the note-sheet for extension of time has already been moved before the Competent Authority and the Competent Authority is likely to take a decision in that regard very soon.

4. Considering the extension granted earlier to these petitioners barring petitioner nos. 1, 2, 3, 11, 19 and 20, we are of the view that further two months time from 10th April 2022 can be granted to the remaining petitioners so that they can pay the consideration price by obtaining necessary loans from the banks.

5. In the connected writ petition we had already directed the respondent nos. 3 and 4-Competent Authorities to extend the time for payment of consideration till 10th June, 2022 and, therefore, this petition being similar to other petition, we direct the respondent nos. 3 and 4 to grant extension for payment of consideration in the demand notice by way of last chance till 10th June, 2022. The petition is disposed of accordingly. No costs.

It is made clear that in case the consideration price is not paid within the extended time, as granted by way of last chance, the respondent nos. 3 and 4 shall be at liberty to proceed against the remaining petitioners in accordance with law.

Pending civil applications shall stand disposed of accordingly.

(SMT. M.S.JAWALKAR, J.)

(SUNIL B. SHUKRE, J.)

Andurkar..