

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

WRIT PETITION NO.7652 OF 2023

Shri Shyamlal Hariram Chandnani

.. Petitioner

Versus

Principal Secretary Urban Development
Department & Ors.

.. Respondents

***Mr. Shriram Kulkarni i/b Pranjali Khatavkar, Advocates
for the Petitioner.***

Ms. M. S. Bane, AGP for State-Respondent.

***Mr. Akshay Kulkarni i/b Ashutosh Kulkarni, Advocates
for Respondent No.5/CIDCO.***

**CORAM : B. P. COLABAWALLA &
M. M. SATHAYE, JJ.**

DATE : SEPTEMBER 05, 2023

P. C.

1. On 27th June, 2023 we have recorded a statement of counsel appearing on behalf of CIDCO, on instructions, that they have not received any proposal from Respondent No.4 asking them to deposit any amount with the concerned authority. He had stated that once such proposal is received they would be in position to deposit the amount

with the concerned authority within a period of 8 weeks thereafter. On that day the learned AGP requested for time to take instructions and file an affidavit-in-reply, if any, to ascertain factual position in the present matter.

2. Today when the matter is called out, the learned AGP, on instructions, has stated that the proposal shall be sent by Respondent No.4 to CIDCO within a period of 1 week from today.

3. In view of the aforesaid statement, we direct Respondent No.4 to submit a proposal to CIDCO within a period of 1 week from today. Once this proposal is received by CIDCO, they shall deposit the said amount with the concerned authority within a period of 4 weeks thereafter.

4. Once the amount is deposited by CIDCO with Respondent No.4, Respondent No.4 shall thereafter deposit the said amount with the concerned Reference Court within a period of 1 week of receipt of the amount from CIDCO.

5. We make it clear that the proposal that is to be forwarded by the Government to CIDCO shall also take into consideration the payment of interest at 15% p.a. till the date of deposit with the concerned Reference Court.

6. The Writ Petition is disposed of in the aforesaid terms. Though we have disposed of the above Writ Petition, we place it on board for compliance on 17th October, 2023.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]