



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 WRIT PETITION NO. 3024 OF 2024

SUCHI TURNKEY PROJECTS PVT LTD THROUGH ITS DIRECTOR AYYUB
YUSUF MOMIN

VERSUS

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THROUGH
REGIONAL MANAGER AND ANOTHER

Mr.P.V. Barde, Advocate for the Petitioner.

Mr.S.S. Dande, Advocate for the Respondents.

CORAM : RAVINDRA V. GHUGE &
R.M. JOSHI, JJ.

DATED : 19.03.2024

PC :-

01. We have considered the strenuous submissions of the learned Advocates for the Petitioner and for the Respondent-MIDC.

02. Mr. Dande is right in submitting that an entity which has the lease rights, has to approach the MIDC for seeking prior permission to transfer the lease rights to another entity. A settled procedure has to be followed.

03. What we find from the pleadings is that the Petitioner is an industry which desires to take the lease rights of a plot admeasuring 720 sq. mtrs. bearing No. W-53/A at Nagapur MIDC, Ahmednagar. The original lease

right holder is M/s.Pokson Tools and Dies pvt. Ltd. Such industry is not before us, in as much as, no such request is made by the said industry, before the MIDC.

04. Considering the fact that the lease rights holder has to approach the MIDC for prior permission to transfer the lease rights, a petition at the behest of an entity who desires to acquire lease rights from the lease holder, cannot be entertained.

05. **The Writ Petition, being misconceived, is dismissed.**

[R.M. JOSHI,J.]

[RAVINDRA V. GHUGE,J.]