

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.863 OF 2024

M/s. Dosti Corporation (Prersidio)

.. Petitioner

Versus

Maharashtra Industrial Development Corporation

.. Respondent

Mr. Ravi Kadam, Sr. Counsel a/w. Mr. Sanjay Udeshi a/w. Mr. Aditya Udeshi and Mr. Netaji Gawade i/b M/s. Sanjay Udeshi & Co., Advocates for the Petitioner.

Mr. Prashant Chawan, a/w. Mr. Meet Vora i/b. Mr. Navdeep Vora & Associates for Respondent No.1.

Mr. A. I. Patel, Addl. GP a/w. Mr. S. L. Babar, AGP for State/ Respondent No.2.

CORAM : B. P. COLABAWALLA &

FIRDOSH P. POONIWALLA, JJ.

DATE : SEPTEMBER 26, 2024

P. C.

1. By this Writ Petition the Petitioner seeks to quash and set aside the impugned communication dated 12th August 2022 under which the extension of time sought by the Petitioner for developing the plots allotted to the Petitioner by MIDC was rejected.

2. When the above matter is called out, Mr. Kadam, the learned Senior Counsel appearing on behalf of the Petitioner submitted that after the

filing of this Petition, MIDC has now come out with the fresh Circular dated 13th August 2024 under which the Petitioner could be permitted to complete the development of the plots allotted by MIDC. Mr. Kadam, therefore submitted that the Petitioner would make a fresh representation to MIDC under the said Circular dated 13th August 2024. The only request made is that their representation be decided uninfluenced by the impugned communication dated 12th August 2022 [under which the extension of time sought by the Petitioner was rejected].

3. Having heard Mr. Kadam for the Petitioner as well as Mr. Chawan, the learned Senior Counsel appearing for MIDC, we are of the view that we can dispose of this Writ Petition by directing the MIDC to consider the representation proposed to be filed by the Petitioner in light of the Circular dated 13th August 2024. The aforesaid representation shall be filed within a period of 2 weeks from today. If such a representation is filed, MIDC is requested to take a decision on the said representation within a period of 4 weeks from the date of the said representation being filed by the Petitioner.

4. The representation of the Petitioner shall be decided by the MIDC independently and without any reference to the impugned communication dated 12th August 2022.

5. All contentions of all the parties are expressly kept open and we have not opined on the merits of the matter one way or the other. In the event the decision of the MIDC is against the Petitioner, the Petitioner is always free to approach this Court.

6. The above Writ Petition is disposed of in the aforesaid terms. However, there shall be no order as to costs.

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.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]