

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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WRIT PETITION NO. 706 OF 2024

M/s.Jabs International Pvt. Ltd. .. Petitioner

Versus

State of Maharashtra .. Respondent

Mr. Nishant Tripathi aw Mr.Pranav Vaidya i/b
M.Tripathi & Co., Advocates for the Petitioner.

Mr.A.I. Patel, Addl. GP a/w Ms.P.N.Diwan, AGP for
State- Respondents.

Mr.Prashant Chawan a/w Ms.Poonam Sheth i/b
Navdeep Vora & Associates, Advocates for MIDC-
Respondent Nos. 2 and 3.

CORAM :B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE : JULY 05, 2024

P. C.

1. The dispute in the above Writ Petition revolves around the allotment of Plot No. A-350/1 by MIDC to the Petitioner. The aforesaid plot was allotted to the Petitioner sometime in the year 2013. This was done because another plot being Plot No. A-350 has already allotted to the Petitioner on which industrial activity is being carried on. It appears

that after the allotment of Plot No. A-350/1, the MIDC cancelled the said allotment on 28th September 2015 on the basis that the said plot, according to the Government, was Government Forest Land and no activities thereon were permitted. Therefore, on 16th November 2021, a Corrigendum was issued and the Petitioner was allotted Plot No.A-829. However, the Forest Department is again claiming that even this plot is Government Forest Land. It is in these circumstances, that the Petitioner has approached this Court.

2. When this matter had come up before this Court on 25th January 2024, notice was issued to the Respondents, and in the meanwhile, an order was passed that if the Plot No. A-350/1 has not been allotted to any other entity, the same shall not be allotted till the returnable date. This ad-interim order has continued from time to time.

3. Today when the matter is called out, the learned AGP seeks time to file an affidavit-in-reply to the above Writ Petition.

4. From the record, we find that sufficient time has been granted to the Authorities to file their affidavit-in-replies. MIDC has already filed its reply to the above Writ Petition. As a last chance, we

direct that the State namely Respondent Nos. 1, 4, 5 and 6, shall file their affidavit-in-reply, if any, within a period of 2 weeks from today and serve a copy of the same on the Advocate for the Petitioner as well as on the Advocate for MIDC, failing which we shall proceed on the basis that the State has nothing to say in the matter.

5. The parties are also put to notice that the Court may dispose of the above Writ Petition at the admission stage itself, time permitting.

6. Ad-interim order granted on 25th January 2024 shall continue until further orders.

7. Place the above Writ Petition on Board on 23rd July 2024.

8. 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.]