

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3096 OF 2024

Xrbia Developers Ltd.

...Petitioner

Versus

State of Maharashtra

Thr Its Principal Secretary And Ors. ...Respondents

Mr. G. S. Godbole, Sr. Advocate *i/b. Mr. Akshay Petkar, Mr. Aniket Malu & Mr. Aditya Nair Advocates for the Petitioner.*

Ms. Dhruti Kapadia, AGP for State / Respondent Nos.1 and 2.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : APRIL 22, 2024

P.C.

1. Mentioned out of turn.
2. Mr. Godbole, the learned Senior Advocate appearing on behalf of Petitioner submitted that Respondent No.3 has been served by private notice and yet he has not filed any appearance. As far as Respondent Nos.1 and 2 are concerned, the learned AGP appeared on behalf of said Respondents and waived notice.

3. In these circumstances, the Registry is directed to issue notice to Respondent No.3 returnable on 6th May 2024. In addition to the Court Notice, the Petitioner shall serve Respondent No.3 by private notice as well alongwith copy of this Order. It is made clear that if Respondent No.3 does not appear on the next occasion, despite service, we may proceed to pass orders in his absence.

3. Stand Over to 6th May 2024.

4. 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.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]

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VISHNU
KAMBLE

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by KISHOR
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Date:
2024.04.23
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