



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.5106 OF 2024

M/s. Anant Enterprises  
Through its Partners  
Mr. Vivek Gopalrao Joshi ..Petitioner  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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Mr. Nitin Gaware Patil a/w. Mr. Divyesh Jain for the petitioner.  
Ms. Kavita N. Solunke, AGP for Respondent No.1-State.

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CORAM : A. S. CHANDURKAR &  
JITENDRA JAIN, JJ.

DATE : 2<sup>nd</sup> MAY 2024.

**P.C.:**

1. The present petition challenges communication dated 2<sup>nd</sup> February 2024 by Respondent No.4 demanding a sum of Rs.4,11,41,300/- as extension charges. The Petitioner submits that on 28<sup>th</sup> August 2014 an allotment letter was issued calling upon them pay a sum of Rs.2,49,37,500/- which has been duly paid. Thereafter, the land was allotted to the Petitioner but its possession was not handed over and hence the grievance was raised before Respondent No.3. The Grievance Cell on 25<sup>th</sup> July 2023 have passed the following order:-

*“The MIDC team informed that the investor is intentionally delaying the possession of land. As per the directive of Hon’ble Development Commissioner, the MIDC team to re-verify the extension period according to the by laws and waive off the necessary extension charges and give possession of land to the investor.”*

2. The contention of the Petitioner that in the light of the aforesaid finding, the demand made by the impugned communication dated 2<sup>nd</sup> February 2024 is not justified.

3. Issue notice to the Respondent Nos.2 to 4, returnable on **27<sup>th</sup> June 2024**. The learned Assistant Government Pleader waives notice for Respondent No.1.

4. Any allotment of the plot under consideration would be subject to the outcome of this petition.

**[JITENDRA JAIN, J.]**

**[A. S. CHANDURKAR, J.]**

(This order is modified as per speaking order dated 8<sup>th</sup> May 2024.)