

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6284 OF 2024

Gadewarnagari Prabuddha Co-op. Housing Society
Thr Secretary ...Petitioner
Versus
The State Of Maharashtra And Anr ...Respondent

Mr. Rakesh Bhatkar a/w. Mr. Mohit Dalvi for the Petitioner
Mr. A. I. Patel, Addl. GP a/w. Mr. Hamid Mulla, AGP for the Respondent-
State.

**CORAM : M. M. SATHAYE &
SOMASEKHAR SUNDARESAN, JJ.**

**DATED : 31 MAY 2024
(Vacation Court)**

P.C.:

1. Heard learned Counsel for the Petitioner and learned AGP for the Respondent-State.
2. The Petitioner is seeking directions to the Respondent-Authority to hear and decide Petitioner's appeal i.e. RTS/Appeal/Pune/144/2024 expeditiously and in any event on or before 07.06.2024.
3. The Reason for insisting on this date, as indicted by learned Counsel for the Petitioner, is a letter issued by the Deputy Secretary, State of Maharashtra to all the District Collectors dated 01.03.2024 indicating that certain persons/institutes, who have applied before 07.03.2024 about change of user from Occupancy Class 2 to Occupancy Class 1, shall be entitled to certain concessional rates. Clause (6) of this communication

provides that all the proceedings received by the Competent Authority before 07.03.2024 shall be decided on or before 07.06.2024. It is common ground before us that the Petitioner's Application is indeed filed prior 07.03.2024.

4. Learned Addl. GP has taken telephonic instructions from the Smt. Dwiwedi, Additional Divisional Commissioner, Pune. He states on said instructions that the Petitioner's application will be taken up on 07.06.2024 at 11.00AM. In view of the statement, the prayers in the Petition are already taken care of. Learned Counsel for the Petitioner states that the Petitioner will appear before the concerned authority at 11.00AM on 07.06.2024 with relevant documents supporting the case.

5. Considering that the Petitioner's appeal is filed before the cut-off date, it is clarified that, even if it is not decided on 07.06.2024, it will be decided in accordance with applicable policy, including the policy stated in paragraph no. 4 of the communication dated 01.03.2024 about concessional rate.

6. With these directions, the Writ Petition is disposed of.

7. All concerned to act on authenticated or digitally signed copy of this order.

(SOMASEKHAR SUNDARESAN, J.)

(M. M. SATHAYE, J.)