

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 8797 OF 2024
IN
WRIT PETITION NO. 12773 OF 2022

Hiranandani Properties Pvt Ltd	...Applicant
<i>In the matter between</i>	
Hiranandani Properties Pvt Ltd	...Petitioner
<i>Versus</i>	
State of Maharashtra & Anr	...Respondents

Mr Shardul Singh, with Prerna Gandhi, for the Applicant.
Mr RS Apte, Senior Advocate, with Mandar Limaye, for Respondent
No. 2-TMC.
Mrs Rupali Shinde, AGP, for the Respondent-State.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 28th June 2024

PC:-

1. Heard learned Counsel for the parties.

2. Mr Apte, the learned Senior Advocate for Respondent No. 2-
Thane Municipal Corporation (“TMC”) states that if the Applicant
furnishes a fresh demand draft, the Corporation would accept it and

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also encash it. This is in so far as building Nos. 13 and 14 are concerned.

3. In so far as the Applicant's application for Occupancy Certificate of building No. 6 is concerned, we direct the TMC to dispose of this application in accordance with law and on its own merits as expeditiously as possible and in any event on or before 26th July 2024.

4. With the above directions, we dispose of this Interim Application. However, we clarify that in case the Occupancy Certificate is denied to the Applicant, the Applicant will have full right to challenge such denial in accordance with law and before the appropriate Court. If the TMC decides to reject the application for Occupancy Certificate, the TMC should indicate reasons for such rejection so that the Applicant can either comply with the deficiencies or challenge such decision in accordance with law.

5. With the above directions, the Interim Application is disposed of with no costs.

6. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)