



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1363/2024

M/s Sai Wardha Power Generation Private Limited Hyderabad,
Telangana – 500 033 through its Authorized Representative

...Versus...

Maharashtra Industrial Development Corporation Limited, Andheri (E),
Mumbai 400 093 through its Chief Executive Officer and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A.A. Naik, Advocate for petitioner

CORAM : AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.

DATE : 27/02/2024

1. The only issue involved is that when on the earlier two occasions consent to mortgage was granted by the Maharashtra Industrial Development Corporation, on a further application being made for consent, there is no response. It is contended that the Indian Bank has already made disbursement in advance and the compliance is to be done of the terms of the sanction, failing which, 1% penalty is being leviable and the threat for recall of the loan has been issued. It is contended that though substantial time has been lapsed since the request for consent was made on 07/08/2023 (pg.228) in absence of any response, the working of the company would be adversely affected.

2. Issue notice for final disposal to the respondents, returnable 08/03/2024.
3. Assistant Government Pleader Mr. S.M. Ghodeswar waives service of notice for the respondent no.2.
4. Petitioner to serve the respondent no.1 by the returnable date. Service by all modes, permissible in law, including Hamdast is allowed.

(SMT. M.S. JAWALKAR, J.)

(AVINASH G. GHAROTE, J.)