

01.12.2025
Court No.13
Item No.6
pk

**MAT 627 of 2025
CAN 1 of 2025**

**The K. M. C. and another
Vs.
M/S. Bajoria Holdings Pvt. Ltd. and another**

Mr. Alok Kumar Ghose, Ld. Sr. Adv.
Ms. Manisha Nath

... for the appellants.

Mr. S. K. Singhi,
Ms. Rita Basu,
Ms. Piyali Pan

... for the respondents.

1. The appeal is directed against judgment and order dated 27.03.2025 passed by the Single Bench of this Court. The facts relevant to the case are that the writ petitioners/respondents obtained land under license issued by the K.M.D.A. Based on such license, an application was made to the K. M. C. for sanction of building plan. The said building plan lapsed by efflux of time and by operation of law before any construction could be made by the respondents.
2. It is submitted by counsel for the respondents/writ petitioners that the license was terminated by KMDA which came to be challenged before this Court and the same is stated to have been restored.
3. It is further submitted by counsel for the respondents/writ petitioners that they have been able to convert the land from a license to that of a freehold land.

4. This Court is not concerned with the same and does not wish to make any pronouncement thereon.
5. Suffice it to say that in the event of any proposal for construction on the property-in-question, the writ petitioners/respondents shall apply afresh for new sanction of a building plan which shall be dealt with by the appellant/KMC in accordance with law and applicable rules.
6. With the aforesaid observations, the impugned order shall stand set aside.
7. MAT 627 of 2025 is allowed and disposed of. Consequently connected pending application is also disposed of.
8. There will be no order as to costs.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)