



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2334 OF 2017

Smt Siddiqui Laiqua Anis Jameel

....Petitioner

VERSUS

The State Of Maharashtra And Another

.....Respondents

.....

Mr. Y. M. Khan, Advocate for the Petitioner

Mr. Mayur Subhedar h/f Mr. Ajay Deshpande, Advocate for respondent
No. 2

Mr. N.D. Batule, AGP for State

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**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL JADHAV, JJ.**

DATE : 10th DECEMBER, 2025

ORDER :

1. Petitioner is seeking direction to CIDCO to issue No Objection Certificate of completion of construction of work of his Plot No. 2, Sector-A, N-13, CIDCO, New Aurangabad.

2. It is the case of the petitioner that she received commencement certificate on 03.12.2004, which carried a condition that the certificate shall remain valid for a period of one year from the date of issuance. The petitioner being Government servant was transferred from time to time and hence she could not complete the construction within stipulated time. Petitioner, thereafter, received a

show cause notice on 26.07.2016 calling upon her as to why allotment of her plot should not be cancelled.

3. The petitioner replied the said show cause notice on 25.10.2016 contending that due to insufficient funds she could not carry out construction of her house as per the condition laid down in the commencement certificate. She was government employee and retired in December-2014. During her service she was transferred at various places, therefore, she failed to submit proposal for completion certificate. Now she has submitted proposal to CIDCO for issuance of No Objection Certificate in respect of house property of Plot No. 2. She has expressed regret for the delay caused in obtaining completion certificate. She has therefore requested to consider her case favorably and issue No Objection Certificate.

4. Respondent/CIDCO has filed affidavit in reply. In paragraph no. 6 of the reply it is stated that, petitioner has approached this Court against a show cause notice which is absolutely premature and thus petition is not maintainable. The petitioner is expected to submit her explanation in reciprocation of the show cause notice and if the explanation submitted is found to be satisfactory and genuine, the CIDCO authorities may take appropriate decision in the matter.

5. Taking into consideration the peculiar facts of the present case and considering the fact that petitioner is retired Government servant, we are of the view that interest of justice would be served by directing CIDCO to sympathetically consider reply of the petitioner to the show cause notice and if possible grant her No Objection Certificate, as per rules, by imposing penalty on the petitioner.

6. The decision shall be taken after hearing the petitioner. Petitioner is permitted to file additional reply and documents, if any. CIDCO shall take decision within 12 weeks from today.

7. With the above directions, writ petition is disposed of.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)