



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.3449 OF 2025 IN
WRIT PETITION NO.3164 OF 2016**

Prashant s/o Ramlal Kolhare & ors. ... APPLICANTS

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Mr. B.V. Thombre, Advocate for applicants
Mr. P.S. Patil, A.G.P. for State
Mr. Sachin S. Deshmukh, Advocate for R.No.2 to 5
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**CORAM : R.G. AVACHAT AND
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 28th MARCH, 2025

ORAL ORDER (PER : KHUBALKAR, J.):

Leave to amend to correct the amounts in the memo of Civil Application granted. Amendment to be carried out within two weeks.

2. Heard learned counsel for the applicants/petitioners, learned A.G.P. for respondent No.1 and learned counsel for respondents No.2 to 5- CIDCO authorities.

3. By this Civil Application, the applicants/ petitioners have challenged the communication issued by the CIDCO, demanding additional lease premium for issuing No Objection certificates for processing occupancy certificates on building constructed on Plot No.90, Survey No.68, N-2, Cidco, Mukundwadi, Aurangabad.

4. Learned counsel for the applicants/ petitioners submits that, the applicants/ petitioners have already deposited an amount of Rs.3,00,000/- in this Court as per order dated 16/3/2016, which has now been increased to Rs.5,13,492/- by accrual of interest on the same as on the date of filing the Civil Application. By this Civil Application, the applicants/ petitioners are seeking withdrawal of the Writ petition No.3164/2016 with directions to the registry to pay the amount of Rs.4,26,981/- to the CIDCO, and the balance amount which is additional amount, be returned to the applicants/ petitioners.

5. We have heard the learned counsel for the applicants/ petitioners as well as learned counsel for the Cidco. In the interest of justice, the Writ Petition can be allowed to be

withdrawn by directing the registry to issue Demand Draft of the amount of Rs.4,26,981/- in favour of the Chief Administrator of City and Industrial Development Corporation of Maharashtra Ltd. (CIDCO) The balance amount along with interest on the entire amount accrued till today be refunded to the applicants/ petitioners. In view of payment of amount of Rs.4,26,981/- to the Cidco authorities, the occupancy certificates prayed for may be issued in favour of the applicants/ petitioners within a period of four weeks from the date the amount is disbursed to the CIDCO. Accordingly, Writ Petition No.3164/2016 stands disposed of. Civil Application stands disposed of.

(PRAFULLA S. KHUBALKAR, J.)

(R.G. AVACHAT, J.)

fmp/-