



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

WRIT PETITION NO. 3983 OF 2017

M/S INCHEM LABORATORIES PVT. LTD. THROUGH DIRECTOR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Shailendra S. Gangakhedkar, Advocate for the Petitioner
Mr. G.A. Kulkarni, AGP for Respondent/State
Mr. Shrirang S. Dande, Advocate for Respondent Nos.2, 3
...

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

DATE : 04th DECEMBER, 2025

PER COURT :

1. By this petition filed under Article 226 and 227 of the Constitution of India, the petitioner challenges cancellation orders issued by respondent No.3 dated 02/01/2017 and 22/02/2017.

2. In the affidavit-in-reply respondent No.3 has made following statements :-

"4. The petitioner has no vested right for restoration of the allotment of plot as the same has already been cancelled by the answering respondent and the answering respondent has already proceeded for taking possession of the suit plots as per the procedure and rules. It is further submitted that there was an agreement to lease executed between the parties and by the said agreement (at page No.23 to 41) the petitioner has agreed to complete the construction of building in accordance with the plans approved within a period of 5 years from the date of possession of the plot. Moreover, the petitioner was a mere

licensee of the corporation and as per the terms and conditions of the agreement to lease the answering respondent has a power to terminate the said agreement and to resume the land allotted."

3. In the light of the above, without going into the merits of the challenge raised by the petitioner, the writ petition is disposed of by directing the petitioner to file a fresh proposal along with all the necessary documents and permissions, if any, received by the petitioner and the same shall be considered by respondent No.3 on it's own merits, according to the policy of respondent No.3.

4. Petitioner shall submit proposal within a period of four weeks from today. Respondent No.3 shall take decision on the same after giving opportunity of hearing to the petitioner within a period of eight weeks thereafter.

5. It is made clear that the earlier cancellation of plot allotted to the petitioner shall not influence the decision of respondent No.3. All the contentions raised by the respective parties are kept open. With the above directions, writ petition is disposed of.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)