



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

WRIT PETITION NO.1369 OF 2006 WITH
CIVIL APPLICATION NO.2960 OF 2025 WITH
CIVIL APPLICATION NO.18399 OF 2010 WITH
CIVIL APPLICATION NO.8946 OF 2012

Sahebrao Patil Shikshan Prasarak Mandal... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mr. S.S. Tope, Advocate for petitioner
Mr. P.S. Patil, A.G.P. for R.No.1 – State
Mr. Sachin S. Deshmukh, Advocate for R.No.2 and 3
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**CORAM : R.G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 26th MARCH, 2025

ORDER :

Heard. Learned Advocate for the petitioner submits that, the petition be disposed of in terms of the order passed in Writ Petition No.1052/2008, on 20/4/2023. He has

also preferred an application seeking direction to the respondent CIDCO to consider the petitioner for grant of the benefit of Amnesty Scheme (Abhay Yojana).

2. The petitioner was granted a plot on lease. The said lease has been terminated by the CIDCO. The petitioner, therefore, preferred the present Writ Petition. In view of the submission made by learned Advocate for the petitioner, the petition stands disposed of in terms of the following order :

3. According to the learned Advocate for the petitioner, in Writ Petition No.14441/2017, the Division Bench of this Court vide order dated 6/3/2018 and in another similar matter, this Court has already granted relief, in relation to the residential properties.

4. In the aforesaid backdrop, the respondents to consider the claim of the petitioner, as is sought to be canvassed in the petition, based on the above referred judgment and take a decision, as to whether cancellation of the allotment in favour of the petitioner should be recalled.

5. The petitioner shall appear before the respondent authorities with a written application. The respondent – CIDCO shall take decision thereon by 31st March 2025.

6. We direct the respondent CIDCO to pass a reasoned order by 31st March 2025. It shall be open for the petitioner, in case the order is adverse, to take appropriate steps in accordance with law.

7. We further direct the CIDCO to consider the petitioner's claim for Amnesty Scheme (Abhay Yojana) on its own merits.

8. Learned Advocate for the petitioner submits that, the petitioner has deposited certain amount with this Court. We direct that, if the CIDCO recalls its order of cancellation, the amount which is deposited by the petitioner with this Court shall be paid to the CIDCO along with interest accrued thereon. The petitioner would pay the deficit amount, if any, as may be claimed by the CIDCO while considering the petitioner's claim on its own merits and if it is found that the

amount which is with this Court is more than to be paid to the CIDCO, the remaining amount shall be paid to the petitioner with interest accrued thereon.

9. With the above directions, the Writ Petition stands disposed of. Rule made absolute in above terms.

10. In view of disposal of the Writ Petition, all pending Civil Applications stand disposed of.

(SANDIPKUMAR C. MORE, J.)

(R.G. AVACHAT, J.)

fmp/-