

Dolphin Riverview CHS Ltd.,
Through its Chairman & Secretary ... Petitioners
V/s.
The State of Maharashtra & Ors. ... Respondents

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.**
DATE : 31st JULY, 2025.

1. Heard learned counsel for the parties.

2. This Petition takes exception to the communication dated 10th June 2024 issued by the Resident Deputy Collector, District Collector Office Pune ("RDC" for short) refusing to grant the No-objection Certificate asked by the Municipal Corporation vide letter dated 23rd April 2024.

3. Admittedly, no hearing or show cause notice was given to the Petitioner - Society before issuing the impugned communication and while rejecting No objection for conversion of land from Class-II occupancy to Class-I.

4. Mr. Naik, learned Senior Advocate for the Petitioner - Society submits that without prejudice the Petitioner - Society is ready to deposit the undisputed amount of Rs.1,42,20,180/- at 15% as per slab-wise calculations in accordance with the Government Resolution dated 8th March 2019 towards the conversion charges and the Petitioner - Society shall furnish the method of its calculation before the competent authority in this regard.

5. Considering the submission made by both sides, this petition can be conveniently disposed of by directing/permitting the Petitioner - Society to deposit the undisputed amount stated above without prejudice to the rights and contentions of both the parties and directing the Respondents to give the Petitioner - Society a fresh hearing and pass a reasoned order in accordance with law.

6. It is made clear that, this Court has not gone into the factual matrix of the issues involved in present Writ Petition and all the contentions of both the parties are expressly kept open.

7. Hence, we pass the following order;

i. The impugned communication dated 10th June 2024 is set aside;

ii. The Respondent No. 3 - Divisional Commissioner, Pune Division, Pune shall issue a fresh notice for hearing

to the Petitioner - Society on its application dated 12th January 2024 and the PMC letter dated 23rd April 2024. After hearing the parties, the competent authorities shall pass a reasoned order in accordance with the law.

iii. Without prejudice to the rights and contentions of both the parties, the Petitioner - Society shall deposit with Respondent No. 4 an amount of Rs.1,42,20,180/- towards the conversion charges within a period of 2 weeks from passing of this Order, which shall be adjusted in the final order that may be passed by the competent authority.

iv. The petition stands disposed of with no order as to costs.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)