

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8574 OF 2024

M/s. Kamalnath hospitality & Services Pvt. Ltd.	...Petitioner
Versus	
Maharashtra Industrial Development Corporation	...Respondent

Mr. Vinod P. Sangvikar a/w Yogesh Morbale a/w Siddheshwar Galande,
for the Petitioner.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 26 MARCH 2025

P.C.:

1. This petition is filed under Article 226 of the Constitution of India,
seeking the following substantive relief :-

“b) The Hon’ble High Court by issuing appropriate writ or order be pleased to direct the Respondent/MIDC to permit the Petitioner to resume and complete the construction work on Plot No. PAP-A-373 as per the revised sanctioned plan dated November 1, 2019.”

2. Heard Mr. Sangvikar, learned counsel for the petitioner.
Considering the nature of the order that we intend to pass, we do not find
that any prejudice to the respondents even if they are not represented.

3. The petitioner is mainly aggrieved by stoppage of work on its plot No. PAP-A-373 situated at Thane TC Industrial area Mahape by the respondent – MIDC, which was to be carried out in accordance with revised sanction plan dated 1 November 2019.
4. The petitioner had accordingly addressed a letter/legal notice in the form of representation dated 12 April 2024 to respondent - MIDC calling upon the MIDC to resume and complete the halted construction work on the petitioner's plot of land as stated above. Such action of the respondent - MIDC in not permitting the petitioner to resume the work at the said site is causing prejudice to the petitioner.
5. Considering the facts and circumstances of the present proceedings, we are of the view that as also submitted by the petitioner, the letter/legal notice dated 12 April 2024 issued by the petitioner to the respondent – MIDC can be treated as a representation and be decided in accordance with law by the respondent – MIDC, expeditiously.
6. Thus, the following order would meet the ends of justice.

ORDER

- (i) The respondent MIDC shall hear the petitioner on the petitioner's letter/representation dated 12 April 2024 within a period of one week from the date of this order is presented to the respondent – MIDC by the petitioner.

(ii) After such hearing the MIDC shall pass a reasoned order in accordance with law within a period of four weeks thereafter.

(iii) Such exercise shall be positively undertaken by the MIDC within a period of four weeks, thereafter.

(iv) All rights and contentions of the parties are expressly kept open.

(v) Writ petition is disposed of in the aforesaid terms. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]