

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15056 OF 2024

M/s. Janvi Enterprises

...Petitioner

Vs.

The Maharashtra State Road Development Corporation
Limited & Anr.

...Respondents

Mr. Suresh Sabrad a/w Jeetendra Sachhdev, Amey Sawant, Pratik Sabrad and Aniket
Gharat i/by JS Legal for the Petitioner.
Mr. M. M. Pabale, AGP for State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.
DATE : 21 APRIL 2025

P.C.:-

1. We have heard learned counsel for the parties on this petition filed under Article 226 of the Constitution of India. The petitioner is the owner of land bearing Gut No.61/3A and 61/3B, situated at Village Rees, Tal. Khalapur, Dist. Raigad (**"the subject land"**). The petitioner is primarily aggrieved by the pendency of the application of the petitioner with the respondents, in which the petitioner has prayed for an extension of time for making payment of additional FSI premium as also further permission for construction of a residential building on the subject land.

2. In the above backdrop, we have heard Mr. Suresh Sabrad, learned counsel for the petitioner and Mr. Pabale, learned AGP for the state. Though there is no written opposition or affidavit in reply on record on behalf of the respondents,

considering the nature of the order to be passed, there would be no prejudice to the respondents. We have noted the submission of the petitioner that its application/representation dated 13 February 2024 (at page no.58 of the petition) is pending with the respondent no.1. Considering such pendency, the petitioner is unable to proceed with its construction of the residential building on the subject land which is delaying the project, to the prejudice of the petitioner.

3. Having considered the above, in our view, the following order would meet the ends of justice in the given facts and circumstances:-

- i. Respondent no.1 shall decide the application/representation of the petitioner dated 13 February 2024 in accordance with law, after hearing the petitioner as expeditiously as possible, in any event within a period of four weeks from the date this order is presented before respondent no.1 by the petitioner.
- ii. All rights and contentions of the parties are expressly kept open.
- iii. Writ petition is disposed of in the above terms.
- iv. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]