

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.18259 OF 2024

Romell Real Estate Pvt. Ltd.

....Petitioner

V/S

State of Maharashtra & Ors.

....Respondents

Mr. Girish Godbole, Senior Advocate i/b Mr. Shivraj Patne
a/w Mr. Pradeep Salgar *for the Petitioner.*

Mr. A.A. Nadkarni, AGP *for Respondent / State.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 06 FEBRUARY 2025.**

P.C.:

1. One of the issues involved in the present Petition is about applicability of ASR-26 to the project in question which interalia contemplates deduction of cost of construction incurred for slum rehabilitation from the value of the constructed area. According to Mr. Godbole, the learned Senior Advocate appearing for Petitioner, though the project in question is executed under provisions of 33(14) of Development Control Regulations, 1991, the project would still treated as slum rehabilitation project in view of clause IV of DCR 33(10) to which ASR-26 applies. He would therefore submit that deduction of construction cost towards construction of PTC admeasuring 8133.38 square meters (Rs.20,33,34,500/-) by the Collector of Stamps while performing the valuation is in order.

2. Mr. Nadkarni, the learned AGP seeks time to file Affidavit-in-Reply to clarify the above position. Let Affidavit be filed within a period of four weeks.
3. List the Petition for further consideration on **24 March 2025** under caption for 'circulation'.
4. Till the next date of hearing no precipitative steps shall be taken for recovery of the demanded amount.

(SANDEEP V. MARNE, J.)

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