

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

WRIT PETITION NO. 5279 OF 2025

M/s. ION Infrastructure ... Petitioner

V/s.

City and Industrial Development Corporation
of Maharashtra Limited (CIDCO) and Ors. ... Respondents

AND

WRIT PETITION NO. 5472 OF 2025

M/s. Patel Developers ... Petitioner

V/s.

City and Industrial Development Corporation
of Maharashtra Limited (CIDCO) and Ors. ... Respondents

Mr. Prashant Chawan, Senior Advocate i/b. Sagar Kasar with Rachana Harpale for the Petitioner

Mr. Rahul Sinha with Soham Bhalerao i/b. DSK Legal for Respondent No.1 - CIDCO

Mr. Mayur Khandeparkar with Nishant Tripathi and Pranav Vaidya i/b. M. Tripathi & Co. for the Petitioner in WP 5472/2025 and for Respondent No.3 in WP 5279/2025

Mr. S.P. Kamble, AGP for Respondent No.4 – State in WP 5279/2025

Mr. O.A. Chandurkar, Addl.G.P. with Ms. G.R. Raghuwanshi, AGP for Respondent No.4 in WP 5472/2025

**CORAM : ALOK ARADHE, CJ. AND
M.S. KARNIK, J.**

DATE : 24th APRIL 2025

P.C. :

1. In these Petitions, the Petitioners, *inter-alia*, have assailed the validity of letter of termination of lease dated 1st April 2025 issued by the

Respondent No.1 - CIDCO to the Petitioners by which the agreement executed in favour of the Petitioners has been terminated on the ground that the Petitioners have failed to develop the plot.

2. The learned Counsel for the Petitioners submit that in an Appeal from Order viz. AO No. 39 of 2017 filed by Respondent No.3, the learned Single Judge of this Court had granted an ad-interim order on 27th November 2019 against the CIDCO as well as the Petitioners. It is further submitted that on account of aforesaid order of injunction, the Petitioners were unable to develop the plot. Therefore, the action of CIDCO in cancelling the agreement in favour of the Petitioners is *per se* arbitrary and is unreasonable.

3. In view of aforesaid submission, the learned Counsel for Respondent – CIDCO prays for short accommodation to enable him to seek instructions.

4. List on **28th April 2025.**

(M.S. KARNIK, J.)

(CHIEF JUSTICE)