

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1571 OF 2025

Celir LLP	...Applicant
Versus	
The State of Maharashtra, through Its Principal Secretary & Ors.	...Respondents

Mr. Yatin Malvankar i/b Nikhil Waje for the Applicant.

Ms. S. A. Prabhune, AGP for State.

Mr. A. Kulkarni i/b Little & Co. for Respondent – MIDC.

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

DATE: 07 MAY 2025

P.C.

1. Learned counsel for the petitioner on instructions has made a statement that insofar as the ULC amounts which were due and payable by the petitioners – predecessor-in-title are concerned, such amounts are already deposited by the petitioner with the MIDC which was an amount of Rs.2,72,00,000/-. Now the amounts which remain to be paid are in regard to the subletting charges which is stated to be an amount of about Rs.9,00,00,000/- and after payment of such amount to the MIDC, the MIDC would be in a position to issue a Transfer Certificate, so that further steps can be take to recognize the rights of the petitioners qua the plot of

land. In this regard a request is made on behalf of the petitioner that the petitioner is willing to furnish a back guarantee for the said amounts which according to the petitioner includes interest, as also GST.

2. We are of the opinion that subject to further appropriate orders to be passed on this petition, it would be in the interest of justice to permit the petitioners to furnish a bank guarantee of a nationalized bank/schedule bank to the MIDC, subject to a condition that if there are any further amounts which are due and payable including on interest, the same shall be paid by the petitioner, in the event the petition fails.

3. Let the petitioner furnish a bank guarantee of such balance amount within fifteen days from today as also an undertaking, as observed by us, be placed on record of this Court. Subject to receiving such bank guarantee, the MIDC shall take further appropriate steps to issue a Transfer Certification to the petitioner.

4. Stand over to **25 June 2025**.

5. Parties to act on the authenticated copy of this order.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)