

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

**INTERIM APPLICATION NO.6982 OF 2025
IN
WRIT PETITION NO.3371 OF 2007**

Indolink Industrial Premises Co- ... Applicant
operative Society Ltd.

Versus

The State of Maharashtra ... Respondent

**Mr Samir Kumbhakoni a/w Ms Anjali Shaw a/w Mr
Chaitanya J., for Applicant.**

**Mr Deepak More a/w Mr Shivram Gawade , for Respondent
No.3.**

Ms P N Diwan, AGP for the Respondent Nos.1 and 2.

**CORAM : M.S. Sonak &
Jitendra Jain, JJ.**

DATED : 22 April 2025

PC:-

1. Prima facie, no sufficient cause is shown for extension. In terms of this Court's order dated 18 March 2020, which order, was based upon the consent terms filed by the parties, the applicants had to shift to their new location within 10 months and to give actual possession of the land presently being occupied by them within 10 months.

2. Now, almost 5 years have expired and it is only after the applicants received a notice for vacation that this application has been filed. The reasons given for the application also do

no inspire any confidence because the consent terms do not state that the vacation of the existing land was subject to any of the conditions that are now sought to be projected in the application.

3. The applicants, thus, are prima facie, in breach of the orders of this Court, which orders, based upon the consent terms filed by the parties including the affidavit. Prima facie case is therefore made out to issue notices under the Contempt of Court's Act to show cause as to why action under Contempt of Court's Act should not be taken.

4. However, Mr. Samir learned counsel for the applicant submits that the applicant will positively, and without giving any excuses, hand over the vacant possession of the land within 2 months from today i.e. on or before 30 June 2025. He states that an undertaking of all the office bearers of the society will be filed in this Court on or before 30 April 2025. Such undertakings will be backed by the resolution of the society. Copy of this undertaking must be furnished to the learned counsel for the Respondent.

5. List the matter on 2 May 2025 for Directions.

(Jitendra Jain, J)

(M.S. Sonak, J)