



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.528 OF 2009**

**WITH
INTERIM APPLICATION NO.1056 OF 2025**

Shimpoli Naranjan Co-Op.
Housing Society Ltd.

.....Petitioner/Applicant

Vs.

The State of Maharashtra & Ors.

.....Respondents

.....

Mr. Shreepad Murthy with Mr. Sahil Wagh & Mr. Sandeep Desai,
i/b. Mr. Abhishek Patil, Advocate for the Petitioner/Applicant.

Mr. Abhay L. Patki, Additional Government Pleader, for the
Respondent Nos.1 & 2-State.

Ms. Jyoti Mhatre with Ms. Anuja Tirmali i/b. Ms. Komal Punjabi,
for Respondent No.4-MCGM.

.....

CORAM : A. S. CHANDURKAR &

DR. NEELA GOKHALE, JJ.

DATE : 8th MAY 2025.

P.C.:-

1. Pursuant to the order dated 29th April 2025, the learned counsel for Petitioner as well as the learned Additional Government Pleader, on instructions, submit that amount of Rs.98,77,185/- stands duly deposited.

2. We have perused the interim orders dated 11th March 2010 and 27th April 2010. While issuing Rule in the Writ Petition, the Petitioner was permitted to furnish a bank guarantee for an

amount of Rs.75,00,000/- . Since the entire amount of demand of Rs.98,77,185/- has been deposited by the Petitioner, the bank guarantee for an amount of Rs.75,00,000/- shall be released in its favour.

3. The learned Additional Government Pleader further submits that a No Objection Certificate would now be issued in favour of the Society, with a copy thereof to the Brihan Mumbai Municipal Corporation.

4. The learned counsel for the Petitioner submits that if the aforesaid compliance is done, the reliefs sought in the Writ Petition would be worked out. On the No Objection Certificate being issued by the State Government, the Respondent No.4 shall issue Occupancy Certificate, if all other requirements are satisfied.

5. In view of aforesaid, by directing the parties to act in accordance with what is recorded herein above, the Writ Petition is disposed of. Rule is disposed of in aforesaid terms. No costs.

6. Interim Application is also disposed of.

(DR. NEELA GOKHALE, J.)

(A. S. CHANDURKAR, J.)