

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

WRIT PETITION NO. 4374 OF 2026

Lavino Kapur Cottons Pvt. Ltd. & Anr. ... Petitioners.

Vs.

Maharashtra Industrial Development
Corporation and Ors. ...Respondents.

Mr. Robin Jaisinghani with Mr. Aditya Thakkar i/b M/s. Dastur Kalambi
& Associates, Advocates for the Petitioners.

Mr. Prashant Chavan, Senior Advocate with Mr. Meet Vora and Ms.
Komal Jadhav, Advocates for the Respondents/MIDC.

**CORAM : RAVINDRA V. GHUGE, ACJ. &
GAUTAM A. ANKHAD, J.**

DATE : 9TH JUNE, 2026.

P.C. :

1. We have considered the submissions of the learned
Advocates for the respective sides. The Petitioner has cited ***State of
U.P. vs. Mohammad Nooh, AIR 1958 SC 86.***

2. We were not inclined to entertain this Petition in the light of
Section 7 of the Bombay Government Premises (Eviction) Act, 1955.
We have considered the law laid down by the Hon'ble Supreme Court in
***M/s. Godrej Sara Lee Ltd. v/s. The Excise and Taxation Officer-cum-
Assessing Authority, 2023 SCC OnLine SC 95.***

3. The learned Advocate for the Petitioners points out that though the Petitioners tendered a detailed reply dated 20th May, 2025 in response to the show cause notice dated 6th March, 2025, the impugned order dated 12th February, 2026 mentions that the Petitioners did not file any reply to the show cause notice. Record reveals that the reply dated 20th May, 2025 (68 pages), was received by the Inward Department of the MIDC, Thane on 21st May, 2025.

4. We, therefore, posed a question to the learned Advocate for the MIDC as to whether the impugned order could be sustained in the backdrop of the non-consideration of the Petitioners reply to the show cause notice and if reply has been inadvertently overlooked, whether the author of the impugned order will be willing to withdraw the order and consider the reply dated 20th May, 2025.

5. The learned Senior Advocate representing the MIDC, submits on instructions, after a pass over, that the concerned Officer would withdraw the impugned order and as the reply dated 20th May, 2025 has been filed by the Petitioners in response to the show cause notice. A fresh hearing by granting liberty to the Petitioners to appear in person or with legal assistance, would be conducted and the said reply

would be considered. A fresh reasoned order would be passed within 30 days from the date of hearing.

6. The learned Senior Advocate for the Petitioners submits that the Petitioners would cooperate in the hearing and on the given date, the Petitioners would appear in person or along with legal assistance and make their submissions in support of the reply dated 20th May, 2025.

7. As such, **this Petition is disposed off**. The Petitioners would appear before Respondent No.3-Authority on 18th June, 2026 at 12.00 Noon and abide by the further dates of hearing, if the matter gets adjourned for further hearings. All contentions of all the stakeholders are kept open. After the hearing is concluded, Respondent No.3-Authority would pass a reasoned order considering all the contentions of the Petitioners, within a period of 30 days thereafter. The order would be communicated to the Petitioners on their E-mail address within a period of 24 hours from the date of pronouncement.

[GAUTAM A. ANKHAD, J.]

[ACTING CHIEF JUSTICE]