



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAW] No.752 of 2024

in

Writ Petition No.5016 of 2018

Birla Infrastructure Limited

vs.

*State of Maharashtra, through the Department of Municipal Administration and
Town Planning, Mumbai and others*

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

*Dr. (Mrs.) Renuka Sirpurkar, Advocate for the Applicant/Petitioner.
Mr. S.S. Hulke, A.G.P. for Respondent Nos.1, 2 & 4.
Mr. D.M. Kale, Advocate for Respondent No.3.*

CORAM : **ANIL L. PANSARE & NIVEDITA P. MEHTA, JJ.**

DATE : **9th MARCH, 2026.**

On 9th January, 2026, the following order was passed:

*"Petitioner was holding a permanent lease from the year
1971 to 2003. It is informed to us that the lease money was
already paid for the said period. Thereafter, the lease rent was
fixed @ Rs. 13,44,000/- per year.*

2. *Learned counsel for the petitioner, in response to
the Court query, submits that for the period from 2003-04 to
2023-24, the petitioner is willing to deposit the lease rent @ Rs.
13,44,000/- per year without prejudice to their rights.
Statement is accepted.*

3. *Excess amount, if any, can be adjusted against the
interest payable, if any.*

4. *The petitioner shall deposit rent money @ Rs.
13,44,000/- per year in this Court within a period of four
weeks from today which shall be without prejudice to rights
and contentions in this petition.*

5. *Stand over to 14.2.2024."*

02. As could be seen, the petitioner was directed to deposit rent of Rs.13,44,000/- per year within a period of four weeks from the date of the order. This order has been not complied with till today. Instead, the petitioner has filed the present application seeking modification of the order, by which the petitioner now seeks permission to pay a part amount i.e. the rent for the years 2018 to 2024. The payment of rent for the years 2003 to 2018 is sought to be deferred till the Resolution Plan is announced by the National Company Law Tribunal, Maharashtra State.

03. We do not find any reason to modify this order, considering the fact that the petitioner has not deposited a single pie till date.

04. The application is accordingly rejected.

05. The petitioner is called upon to show cause why the petition should not be dismissed for non-compliance of the order.

06. List the matter on 16th March, 2026..

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)

**sandesh*