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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14090 OF 2016**

Satej Prakashan ... Petitioner
Vs.
State of Maharashtra and Anr. ... Respondents

Mr. Abhijit Patil i/by Mr. Ajay S. Patil for the Petitioner/Appellant.
Mr. C.P. Yadav, AGP for the Respondent No.1.
Mr. G.S. Hegde for the Respondent Nos.2 and 3.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 21st MARCH, 2017

P.C.

. **Not on board. Taken on board.**

1 Papers are produced at the instance of the second respondent – City and Industrial Development Corporation of Maharashtra Limited. Our attention is invited to the letter of allotment dated 19th December, 2016 issued in favour of M/s. Bhumiraj Infrastructure Pvt. Ltd. The submission of the learned counsel appearing for the second respondent is that even before order dated 19th December, 2016 was passed, the said allotment was made. He submitted that as a result of the ad-interim relief granted in this Petition, the possession cannot be handed over to the allottee. However, it is an accepted position that the amount which was payable by the allottee

under the letter of allotment on or before 13th March, 2017 has not been paid by the allottee. The learned counsel appearing for the second respondent states that allottee did not pay the amount as a representation was made by the allottee to grant further time on the ground that CIDCO will not be in a position to hand over possession in view of the ad-interim order.

2 Ad-interim order does not prevent the second and third respondents from proceeding with the process of allotment. In any case, as the allottee has not paid amount which is payable in the order of allotment. There is no reason to vacate ad-interim relief. Petition to be listed on the scheduled date.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)