

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1657 OF 2026

Amber Spaces LLP, Mumbai .. Petitioner
Vs.
State of Maharashtra,
Through Urban Development Department and Ors. .. Respondents

Mr. Vikramjit Garewal with Mr. Harshil Parekh and Ms. Praharshi Saxena, Advocates, i/by Purnanand & Co., for the Petitioner.

Mr. Rakesh Pathak, Additional Government Pleader for the Respondent-State of Maharashtra.

Mr. Pratik Gorde, Advocate for Respondent No.3-BMC.

Mr. Sachin Satote, Desk Officer, ULC/UD Department, State of Maharashtra is present in the Court.

**CORAM : GAUTAM A. ANKHAD &
SANDESH D. PATIL, JJ.**

**DATE : 19TH MAY 2026
[VACATION COURT]**

P.C. :

1. The Petitioner has challenged the impugned letter dated 17th December 2025 at page 208 of the paper-book whereby Respondent no.2-Collector and Competent Authority has raised a demand towards premium on the entire area of the Petitioner's property. The Petitioner has disputed its legality and assailed the same in this Petition. However, without prejudice to its rights and contentions, including to seek refund in the event this Petition succeeds, the Petitioner is ready and willing to

deposit under protest, the amount demanded by the Respondent no.2-Authority.

2. Mr. Garewal, learned counsel for the Petitioner has invited our attention to paragraph no.17 of the letter dated 25th November 2025 issued by M/s. Daisaria Associates as well as to the demand notice dated 17th December 2025 issued by Respondent no.2. He submits that in terms of the demand notice, the Petitioner is ready and willing to deposit the amount of Rs.3,91,17,452/- in this Court and upon such deposit, the Authorities ought to consider the application filed by the Petitioner for conversion of the said property from industrial to residential and for further development permissions without insisting on any further conditions.

3. Mr. Pathak, learned Additional Government Pleader appearing for the Respondent-State tenders an affidavit-in-reply and submits that the Petitioner ought to deposit the amount with Respondent no.2 itself and no prejudice will be caused as the said amount would be retained in an interest bearing fixed deposit.

4. Having heard the learned counsels for the parties and since the Petitioner is willing to secure the disputed demand by depositing the entire amount as claimed by Respondent no.2, we are of the *prima facie*

view that equities can be balanced by directing the deposit in this Court pending the adjudication of the challenge raised in this Petition. This will safeguard the interests of the Respondents and at the same time ensure that the Petitioner's pending application for conversion and development permissions is not indefinitely stalled due to the disputed demand. In these circumstances, ad-interim relief in terms of prayer (c) is granted, subject to the Petitioner depositing an amount of Rs.3,91,17,452/- in this Court within a period of one week from today. The amount so deposited shall be retained in a fixed deposit of any nationalized bank initially for a period of one year which will be renewed subsequently. Considering the request made by Mr. Pathak, learned Additional Government Pleader, the Respondents are at liberty to file an appropriate application in this Court to seek withdrawal and/or appropriation of the same, which application shall be considered on its own merits.

5. As regards prayer clause (d), which is pressed for by Mr. Garewal, the said prayer is widely worded and we cannot pass a blanket order directing Respondent no.3 and Respondent no.4 to process and grant permissions on any applications that may be filed by the Petitioner. We clarify that if any such application for conversion and development is made by the Petitioner to the Respondents, the same shall be duly

considered by the authorities on its own merits and taking into account the ad-interim relief granted by this Court.

6. List the matter on 31st July 2026. Affidavits-in-reply shall be filed before the next date.

[SANDESH D. PATIL, J.]

[GAUTAM A. ANKHAD, J.]