



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

**WRIT PETITION NO.6181/2012  
Central India Power Company Ltd....**

**..VS..**

**Union of India, Ministry of Coal, thr.its Secretary, Shastri Bhavan, New Delhi and ors**

**WITH**

**WRIT PETITION NO.7002/2023  
Central India Power Company Ltd....**

**..VS..**

**The State of Mah., thr. Principal, Department of Industries, Power and Labour,  
Mantralaya, Mantralaya, Mumbai and anr**

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

Court's or Judge's Order

**WRIT PETITION NO.6181/2012**

**Shri Mohammed Najmi, Counsel for the Petitioner.**

**Mrs.Mugdha Chandurkar, Counsel for R-1 & 6.**

**Shri Parth Sagdeo, Counsel for R-2.**

**Shri S.C.Samudra, Counsel for R-3.**

**Shri M.M.Agnihotri, Counsel for R-4.**

**Shri R.D.Kalra, Counsel for R-5.**

**Shri S.S.Doifode, AGP for R-7 & 8.**

**WRIT PETITION NO.7002/2023**

**Shri Mohammed Najmi, Counsel for the Petitioner.**

**Shri S.S.Doifode, AGP for R-1.**

**Shri M.M.Agnihotri, Counsel for R-2.**

**CORAM : URMILA JOSHI-PHALKE & NIVEDITA PMEHTA, JJ.**

**DATE : 21/04/2026**

1. Heard.

2. Considering issue involved in the matter, learned counsel for the petitioner has pointed out order dated 19.6.2019, which is reproduced as under:

“The respondent No.2 – MIDC has given a fresh offer dated 18-2-2019 to the petitioners to pay the balance amount of Rs.5,80,00,000/- for allotment of land, admeasuring 500 hectares, comprising of Plot No.B-2 in Bhadrawati Major Industrial Area. According to the offer letter, the balance payment is required to be made within a period of thirty days from the date of the order of allotment.

The petitioners have filed a pursis dated 19-6-2019 accepting such offer, but claiming some more time to make the balance payment of Rs.5,80,00,000/-. Inviting our attention to the circular-letter dated 22-1-2014 and particularly Clause 3 therein, Shri Agnihotri, the learned counsel appearing for the respondent No.2- MIDC, has urged that if there is delay in making the payment, it can be condoned for a period of 180 days upon the condition that after expiry of thirty days, the balance amount shall be paid along with interest as per the prevailing Bank-rate.

Keeping in view the facts and circumstances of this case, we think that the petitioners can be granted time of ninety days from today to

make the entire balance payment. However, if such payment is not made within the stipulated period, the order of allotment dated 18.2.2019 shall stand revoked.

Upon receipt of the entire balance payment and execution of agreement to lease by the respondent No.2- MIDC, the MIDC shall hand over the vacant possession of the plot in question to the petitioners, and for removal of encroachment, if nay, the police aid can be taken, which shall be provided upon payment of requisite charges.”

3. Learned counsel for the petitioner submitted that in view of the above said order, he has already deposited the amount and made compliance thereon. He has also filed a pursis to that effect.

4. Learned counsel Shri M.M.Agnihotri, submitted that in view of change in circumstances, as per directions of the State Government, respondent No.2 MIDC has issued a fresh offer letter and in view of that letter, he has already paid the amount. He further submitted that the costs of the acquisition are not paid and, therefore, subsequent petition bearing Writ Petition No.7002/2023 is filed and both are to be decided together considering the issue involved in that. In between, the petitioner can approach respondent No.2 MIDC

for handing over the possession subject to condition that he shall file an undertaking stating therein that if tomorrow this court holds that he is liable to pay the additional amount, he will pay the same.

5. Learned counsel for the petitioner submitted that he will file an undertaking within one week.

6. Learned counsel for the petitioner shall furnish a copy of amended petitions to learned counsel for respondent Nos.1 and 6.

7. After filing these undertakings, petitions be placed placed before this court on **5.5.2026**.

**JUDGE**

**JUDGE**

!! BrWankhede !!