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

**CIVIL APPLICATION No.1346 of 2014
IN
WRIT PETITION NO.6702 of 2011**

The State of Maharashtra through
Principal Secretary, Revenue Department
and others

... Petitioners.

Vs.

Maharashtra Chamber of Housing Industry
through Chief Manager, Mr Chandra Prakash
Goyal and Ors

... Respondents.

Mr N.P. Deshpande, AGP for the Petitioner.
Mr Uday P. Warunjikar, Advocate for the Respondents.

CORAM : A.S. OKA & A.S.CHANDURKAR, JJ.

DATE : 17th June 2014.

P.C.

1. Heard learned AGP appearing for the Applicant. Prayer in this application is for vacating interim relief granted by this Court on 5th September, 2011.

2. The submission of the learned AGP is that if the interim order is modified and authorities are allowed to pass orders on show cause notice, no prejudice will be caused to the members of the first Petitioner in the Writ Petition as the State Government is willing to make a statement that till the disposal of Special Leave Petition No. 33002/2010, the orders will not be

implemented.

3. From perusal of the order dated 5th September, 2011, we find that interim relief was granted after hearing the learned AGP. The submission of the learned AGP that challenge in the writ petition is only to the show cause notice and the Petitioners can always challenge the orders passed on the show cause notice, has been considered by the Division Bench as elaborated in paragraph 4 of the order dated 5th September, 2011. No case of any change in circumstances is made out. Hence, the civil application is rejected. However, after disposal of the Special Leave Petition No. 33002 of 2010, it will be open for the applicants to move a fresh application for grant of relief which is claimed in this application.

(A.S.CHANDURKAR, J)

(A.S. OKA, J)