

Ashwini V

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1411 OF 2010**

Shrikrishna Narayan Dandwate & Ors	...Petitioners
<i>Versus</i>	
Union of India & Ors	...Respondents

**WITH
WRIT PETITION NO. 11344 OF 2011**

Lunawat Construction Company Represented by Maniklal P Lunawat	...Petitioner
<i>Versus</i>	
Union of India & Ors	...Respondents

**WITH
INTERIM APPLICATION (ST) NO. 27717 OF 2022
IN
WRIT PETITION NO. 11344 OF 2011**

Sri Sri Gurudeo Construction Co (Earlier known as Lunawat Construction Co)	...Applicant
<i>In the matter between</i>	
Lunawat Construction Company Represented by Maniklal P Lunawat	...Petitioner
<i>Versus</i>	
Union of India & Ors	...Respondents

**WITH
WRIT PETITION NO. 12181 OF 2012**

Hemant Naiknavare S/o Shri Dattaji Naiknavare & Anr	...Petitioners
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Versus
Union of India & Ors

...Respondents

Mr Drupad Patil, *for the Petitioner in WP/1411/2010 and for the Applicant in IAST/27717/2022.*

Mr Jaydeep Deo, *for the Petitioner in WP/12181/2012.*

Mr Ram Apte, Senior Advocate, *with Samiksha Kanani, YR Mishra & Saurabh Mishra, for Respondents Nos. 1 to 3-UI in WP/1411/2011.*

**CORAM G.S. Patel &
 Dr Neela Gokhale, JJ.**
DATED: 3rd February 2023

PC:-

1. The Petition challenges to provisions of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 (“**Act 2010**”). Although these petitions have been pending since 2010, it appears that no notice have ever been issued to Learned Attorney General despite this vires challenge. Accordingly, issue notice to the learned Attorney General.

2. We believe the issue of law is narrow and well defined. We make notice returnable on 8th March 2023 at 2.30 p.m. As a courtesy, an advance copy of each of these Petitions with amendment will be served at the office of the learned Additional Solicitor General.

3. Since this is the nature of a vires challenge, we request the Petitioners and the Respondents to file by 24th February 2023 in hard and soft copy—

- (a) Advance concise notes of arguments not exceeding 20 pages in a font size not less than 12 pt Times New Roman. There are to be no extracts from judgments or documents in the submissions. References may be included in footnotes.
- (b) Chronology of dates and events.
- (c) A properly indexed and paginated compilation of authorities proposed to be relied on. The soft copy must in particular not only be bookmarked but the index or table of contents page must be hyper-linked to the starting page of each of the compiled judgments. The relevant paragraphs must be shown in the index itself.

4. These are to be filed in the Registry by 24th February 2023. Soft copies may be made available to the Court Associate on a pen drive.

5. Separately, by 3rd March 2023 we request the Registry to have the present records scanned and digitized. A copy of the final scanned and digitized PDF file will be made available to all advocates for convenience and free of charge.

6. The Interim Application (St) No. 27717 of 2022 for amendment to correct name of the Petitioners is made absolute.

The amendment is to be carried out by Monday, 13th February 2023 without need of reverification. All filing defects must be cured and the Interim Application must be finally numbered before the amendments are effected.

7. The Interim Application is disposed of in these terms.

(Dr Neela Gokhale, J)

(G. S. Patel, J)