

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8065 OF 2004

Udharam Ammumal Parwani .. Petitioners
Versus
Union Of India and Ors. .. Respondents

WITH
WRIT PETITION NO.9397 OF 2004

Udharam A. Parwani .. Petitioners
Versus
Union Of India and Ors. .. Respondents

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- Mr. Hitesh Vyas a/w Mr. Chandrashekhar Jadhav and Mr. Rasik Raut, Advocates for Petitioner.
 - Mr. R.V. Govilkar, Senior Advocate a/w Mr. T.J. Pandian, Mr. R.P. Ojha, Ms. Prajakta Joshi, Mr. Gautam Modanwal and Ms. Noorjahan Khan, Advocates for Respondent Nos.1 to 3 in both Writ Petitions.

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CORAM : MILIND N. JADHAV, J.

DATE : JULY 07, 2025

P. C.:

1. Heard Mr. Vyas, learned Advocate for Petitioner and Mr. Govilkar, learned Senior Advocate for Respondent Nos. 1 to 3.

2. Officers of Engineering Department are present before the Court. Pursuant to the previous order dated 9th June, 2025, Railways *prima facie* are of the impression that it is only the Railway Board who would take the appropriate decision in the matter. Today I am

informed that even if the General Manager of the Central Railways takes an appropriate decision in the larger public interest in view of the delineation made in the previous order, the said decision may be conveyed to the Court and appropriate orders can be passed by the Court so that the work for carrying out the project of the 5th and 6th Railway line over the Sion ROB bridge and further impending work is not affected in the larger public interest.

3. In that view of the matter, the General Manager, Central Railways is directed by the Court to take an appropriate decision after being acquainted with the order passed by the Estate Officer in the present case which has been duly referred to in the previous order.

4. In the meanwhile, parties shall consider not taking any coercive steps with respect to the fresh / subsequent show cause notice which has been issued to the Petitioner.

5. Parties are directed to take appropriate steps since present Petition is of the year 2004 and is required to be disposed of at the earliest in view of the prioritized listing of old matters.

6. Stand over to **28th July, 2025 (F.O.B.)**.

[MILIND N. JADHAV, J.]