

JPP

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

WRIT PETITION NO. 1488 OF 2016

Avinash Dhavji Naik and Anr.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

with

WRIT PETITION NO. 11594 OF 2017

with

WRIT PETITION NO. 1871 OF 2016

with

WRIT PETITION NO. 11594 OF 2017

with

WRIT PETITION NO. 1498 OF 2016

with

WRIT PETITION NO. 1489 OF 2016

with

WRIT PETITION NO. 1490 OF 2016

with

WRIT PETITION NO. 12842 OF 2017

with

INTERIM APPLICATION (ST.) 5634 OF 2022

in

WRIT PETITION NO. 12842 OF 2017

with

WRIT PETITION NO. 7262 OF 2018

with

WRIT PETITION NO. 9171 OF 2017

with

WRIT PETITION NO. 8011 OF 2017

with

WRIT PETITION NO. 9165 OF 2017

with
WRIT PETITION NO. 10338 OF 2017
with
WRIT PETITION NO. 9080 OF 2017
with
WRIT PETITION NO. 11168 OF 2017
with
INTERIM APPLICATION NO. 728 OF 2022
in
WRIT PETITION NO. 11168 OF 2017
with
WRIT PETITION NO. 11159 OF 2017
with
INTERIM APPLICATION NO. 729 OF 2022
in
WRIT PETITION NO. 11159 OF 2017
with
WRIT PETITION NO. 778 OF 2018
with
INTERIM APPLICATION NO. 695 OF 2022
in
WRIT PETITION NO. 778 OF 2018
with
WRIT PETITION NO. 779 OF 2018
with
INTERIM APPLICATION NO. 696 OF 2022
in
WRIT PETITION NO. 779 OF 2018
with
WRIT PETITION NO. 11646 OF 2017
with
INTERIM APPLICATION NO. 727 OF 2022
in
WRIT PETITION NO. 11646 OF 2017

Mr. A.V. Anturkar, Senior Advocate with Mr. Sachin Punde with Mr. Kaustubh Patil for the Petitioners in WP 1488/16 & WP 778/18
Mr. Sachin Punde for the Petitioners in WPs. 1489/16, 1498/16, 1490/16, 12842/17, 11594/17, 11168/17, 11159/17, 779/18, 11646/17, 7262/17, 9171/17, 8011/17, 9165/17, 10338/17 & 9090/17
Mr. Roopadaksha Basu i/b. The Law Point for Respondent No.4
Mr. G.S. Hegde with Ms. P.M. Bhansali for Respondent – CIDCO in WP 12842/17
Mr. Ashutosh Kumbhakoni, Advocate General with Ashutosh Kulkarni for CIDCO
Mr. Ashutosh Kumbhakoni, Advocate General with Mr. Akshay Shinde, 'B' Panel Counsel with Mr. A.I. Patel, Addl. G.P. with Ms. Sneha Bhange for the State

***CORAM : NITIN JAMDAR &
SHARMILA U. DESHMUKH, JJ.***

DATE : 13 SEPTEMBER 2022

P.C. :-

Pursuant to the earlier order, the learned Advocate General has tendered a chart segregating these Petitions into three groups. Group-1 is Serial Nos. 11 to 16 (W.P. Nos. 11594/17, 9165/17, 9080/17, 9171/17, 10338/17, 8011/17). Group-2 is divided into two components 2(a) i.e. Serial Nos. 1 to 4 (WP Nos. 1488/16, 1489/16, 1490/16 and 1498/16) and 2(b) i.e. Serial Nos. 5 to 10 (WP Nos. 11159/17, 779/18, 11168/17, 11646/17, 778/18 and 7262/18). Group-3 is Serial Nos. 17 and 18 (WP Nos. 12842/17 and 1871/16).

2. As regard Group-2(a), 2(b) and 3, we are informed that the pleadings are complete and the matters are ready for arguments. As regard Group-1, the preliminary objection is raised on behalf of the State about the maintainability of the Petition. The learned Counsel for the Petitioners states that the private Respondents are not joined in these Petitions neither the CIDCO and there are certain subsequent developments. However, the preliminary objections will have to be heard first.

3. Accordingly, list these Petitions in the following manner on 3 October 2022 at 3.30 p.m. :-

Group -1 be listed separately followed by Group 2(a), Group 2(b) and Group-3. In Group 2(a) Writ Petition No. 1488/2016 will be taken as a lead Petition. In Group 2(b), Writ Petition No. 778/2018 will be taken as a lead Petition.

4. The learned Counsel for the parties will circulate a summary of propositions with reference to pleadings (with page numbers) and statutory provisions. Compilations of case law, shall contain an index and the relevant paragraphs be marked and the proposition for which they are cited. The summary and compilations be circulated in advance.

SHARMILA U. DESHMUKH, J.

NITIN JAMDAR, J.