

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1195 OF 2022

Mega Infrastructure Developers
Versus

...Petitioner

Municipal Corporation Of
Greater Mumbai & Ors.

...Respondents

Mr. Akash Rebello a/w Mr. Paras Gosar, Ms. Bushra Sayed i/b V. Shukla & Associates for the Petitioner.

Ms. Poornima Kantharia a/w Ms. S. V. Tondwalkar i/b Ms. Komal Punjabi for Respondent Nos. 1 to 3-BMC.

Mr. Girish Paryani i/b A & G Legal Associates for Respondent No. 4.

Mr. Mohit Jadhav, Addl. G. P. for Respondent No. 6-State.

Mr. Sushant Mitkar, Ass. Engineer (D.P.) BMC, present.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATE: 2nd JULY 2025

P.C.

1. Mr. Rebello, learned Counsel for the Petitioner, fairly submits that considering our order dated 18th June, 2025, a plan for realignment of access to the Petitioner's plot of land (CTS No. 280) shall be submitted to the Municipal Corporation within a period of two weeks from today, so that further proposal for realignment of the access with the DP road can be considered by the designated officer of the Municipal Corporation which is the planning authority, and if need be, the same can be submitted for modification of realignment of the DP road by

proper procedure in that regard to be adopted by submitting the proposal to the State Government.

2. Needless to observe that as the Petitioner is concerned in respect of the slum scheme, which is a statutory scheme under the provisions of Maharashtra Slum Areas Act. The authority will not insist from the Petitioner any no-objection to be obtained from the adjoining society/land owners. This also for the reason that we find from the plan submitted that there is already an existing access with open space, which also needs to form part of the access to the Petitioner's land (CTS No. 280). Let all such formalities in this regard be completed within two weeks as directed.

3. A copy of the proposed plan be also submitted to the learned Government Pleader. Needless to observe that such plan, which is proposed to be prepared, can be of such nature, that no existing structures are disturbed. All this would be without prejudice to the rights and contention of all other parties who are likely to be affected.

4. List the proceedings on **23rd July 2025** for further appropriate orders to be passed.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)