



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

WRIT PETITION NO. 647 OF 2017

Omkar Realtors & Developers Pvt. Ltd. ..Petitioner.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. Karl Tamboli, Asha Nair I/b Diamondwala & Co., for the Petitioner.
Mr. U. S. Upadhyay, AGP for the Respondent-State.
Ms. Vaishali Choudari and Sagar Patil for MCGM.
Ms. Vrushali Maindad I/b Desai Legal for Respondent No. 9.
Mr. P. G. Lad, Aparna Murlidharan and Sayli Apte for Respondent No. 10.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **July 11, 2018.**

P. C. :

1. An affidavit dated 29th June 2018 of one Mr. Amol M. Kalekar, Assistant Engineer (M&R) of MCGM has been filed on behalf of the MCGM. In paragraph 5 thereof, statement is made that Corporation has already taken steps to execute the proposal under section 291(a) of the MMC Act, 1888 as sanctioned by the Municipal Commissioner for issuance of public notice to that effect. It is further stated that draft of the public notice is pending for approval from concerned department. Ms. Choudhari, the learned counsel for the MCGM today submitted that within four weeks from today, the appropriate approval would be obtained from the concerned



department and public notice would be issued. Statement accepted as an undertaking to the Court. Copy of such notice shall be forwarded to Respondent No. 10.

2. Needless to state that Respondent No. 10, who claims to be the owner of the land in question, is entitled to file objection to such notice.

3. For further hearing, petition is adjourned to 28th August 2018.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]