

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.52 OF 2014

Nivrutti Dhondiram Godse	...Petitioner
vs.	
Union of India & Ors.	...Respondents

Mr.Sachin Gite for the Petitioner
Ms Neeta Masurkar a/w Mr. S.G.Thakur and Mr.Arun
Kumar Roy for the respondent-UOI
Mr.V.P.Malvankar, AGP `A' Panel for respondent Nos.2
and 7.
Mr.Sukand Kulkarni i/b Mr.Rohan Nahar for respondent
Nos.8 to 10.

CORAM : A.S.OKA, &
REVATI MOHITE DERE, JJ.
DATE : AUGUST 17, 2015

1 The challenge in this PIL is to the resolution dated 22nd October 2013 passed by the Cantonment Board, Deolali. In the meeting held on 22nd October 2013, three building plans submitted by the respondent Nos.8,9 and 10 were considered and approved subject to condition that the plans will be released only after a survey is carried out by the appropriate Officer and the boundaries are fixed. The learned counsel for the respondent Nos.8 to 10 on instructions states that the said respondents will not act upon the plans which are approved in the meeting dated 22nd October 2013 and will submit a fresh proposals/fresh plans for approval of the Cantonment Board. He states that advance notice of

the submission of the fresh proposal/fresh plans will be given to the petitioner to enable the petitioner to raise appropriate objections, if any. We accept the said statements made on instructions. By accepting the said statements, we dispose of the PIL.

2 We make it clear that in view of aforesaid statements, the Resolution dated 22nd October 2013 in relation to the building plans at Sr.Nos.6,7 and 8 placed before the meeting held on 22nd October 2013 shall not be acted upon. All contentions on merits are expressly kept open. If objections are raised by the petitioners to the newly submitted proposals/plans the same shall be considered by the Cantonment Board in accordance with law.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)