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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10319 OF 2013

Municipal Corporation of City of
Pimpri and Chinchwad

..Petitioner.

V/s.

Union of India and Ors.

..Respondents.

Mr.P.K.Dhakephalkar, Senior Advocate i/b. Mr.Amol Mhatre for the
petitioner.

MrVijay Dinkarrao Patil for respondent No.4.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 13TH OCTOBER, 2015

P.C. :-

1. Heard the learned senior counsel appearing for the petitioner. He states that at present, the petitioner would be satisfied if a direction is issued in terms of prayer clause (c) of the petition.

2. The prayer made in the representation made by the petitioner is for relaxing the restrictions imposed by the notification issued in exercise of the powers under the Works of Defence Act, 1903.

3. It is pointed out by the petitioner that due to the said restrictions imposed by the Defence Department, the Municipal Corporation is facing several difficulties in the way of the implementation of the Jawaharlal Nehru National Urban Renewal

Mission (JNNURM) for which large funds have come from the Union of India.

4. Accordingly, we dispose of the petition by passing the following order:-

- (i) We direct the petitioner to forward a copy of representation to all concerned respondents along with an authenticated copy of this order;
- (ii) We direct the first and second respondents to consider the said representation made by the petitioner in accordance with law as expeditiously as possible and in any event on or before 31st December, 2015.
- (iii) It will also be open to the petitioner to forward additional documents to the concerned authorities;
- (iv) The decision taken by the concerned respondents shall be communicated to the petitioner on or before 15th January, 2016;
- (v) We make it clear that at this stage, this Court has not dealt with the merits of the prayer clauses (a) and (b). It will be open for the petitioner to agitate the said prayers at an appropriate stage;
- (vi) The petition is disposed of accordingly.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)