

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

**NOTICE OF MOTION NO.546 OF 2015
IN
WRIT PETITION NO.873 OF 2008**

Kukreja Construction Co. and 3 Others .. Applicants
V/s

State of Maharashtra, through its
Secretary to the Ministry of Urban
Development Department and 2 Others .. Respondents

Mr. Shardul Singh i/by M/s DSK Legal for the Applicants.
Mr. Kiran Bagalia for the Respondent No.3-MMRDA
Mr. Vinod Mahadik for the Respondent-BMC.

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

DATE : SEPTEMBER 1, 2015.

P.C.:

. Not on board. Taken on board.

2 Heard the learned Counsel appearing for the Applicants. Heard the learned Counsel for the 2nd Respondent and 3rd Respondent.

3 Perused the averments made in the Affidavit-in-support and in particular the Clauses-(c), (d) and (e) and paragraph-(2) thereof. In view of what is stated therein, a case

for restoration is made out.

4 The second prayer in the Notice of Motion is for restoration of ad-interim order of status quo dated 31 July 2008. The learned Counsel appearing for the Applicants states that he is not pressing prayer-(b). However, we must record here that in view of what is observed in the order of admission, there is no interim relief operating in the Writ Petition.

5 Accordingly, the Notice of Motion is made absolute in terms of prayer-(a).

6 The Writ Petition shall be added to the Weekly Board of “Final Hearing” matters.

(V.L. ACHLIYA, J.)

(A.S. OKA, J.)