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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION No. 139 OF 2014

Janhit Samajik Vikas Sanstha
through the Secretary Jitendra Patil ... Petitioners
Vs.
The Collector, Tal. Vasai & Anr. ... Respondents

None for the Petitioners.

Mr. Atul Damle, Sr. Counsel a/w Chaitrika Patki i/b Vidhi Partners, for
the Respondent No. 2.

Ms. Mubina Naterwala a/w Chetan Agrawal, for Respondent No. 3.

Ms. Neeta Masurkar a/w S. G. Thakur, for Respondent No. 4 – UOI.

Mr. N. C. Walimbe, AGP for the Respondent – State.

CORAM : V. M. KANADE, &
Mrs. SWAPNA S. JOSHI, JJ.

DATE : OCTOBER 10, 2016

PC.

1. None appears on behalf the Petitioners. Heard the
learned senior counsel appearing for Respondent No. 2 – Vasai Virar
Municipal Corporation. The Petitioners by this PIL, which is filed
under Article 226 of the Constitution of India, are seeking following

reliefs:

- “(a) Rule nisi be issued and records and proceedings be called for.
- (b) By suitable writ, direction and order this Hon'ble Court be pleased to direct the Respondents to take appropriate steps to construct permanent road between the Nille More Gaon to Nallasopara Railway station with immediate effect.
- (c) By suitable writ, order and direction this Hon'ble Court be pleased to issue direction to the Respondents to make available land for the construction of crematory and construct the crematory on the allotted land within three months from the date of order of this Hon'ble Court.
- (d) Costs of this petition be provided for.
- (e) Any other order necessary in the interest of justice may kindly be issued.”

2. The Respondent Corporation has filed an additional affidavit dated 16.2.2015. In the said affidavit they have, firstly, stated that the road between Nille Moregaon to Nallasopara railway station has already been constructed, and secondly, it is stated that there is already crematorium, which is constructed by the Corporation, which

is 2-3 Km. away from village Nile Moregaon. In view of the additional affidavit of Respondent No. 2, the grievance of the Petitioners does not survive. PIL is, therefore, disposed of.

Sd/-

[Mrs. SWAPNA S. JOSHI, J.]

Vinayak Halemth

Sd/-

[V. M. KANADE, J.]