

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

WRIT PETITION NO.382 OF 2015

Sarang Seva Sanstha

...Petitioner

vs.

Municipal Corporation of Greater Bombay
and Others

...Respondents

Mr. A.G. Damle, Senior Advocate a/w. Mr. H.P. Ghadigaonkar, for the
Petitioner.

Mrs. Geeta Joglekar, for the Respondent-BMC.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : JUNE 10, 2016

PC.:

1. The grievance of the Petitioner is that its proposal in respect of “*Pay and Use Public Toilet*” under new fly over at CST-LBS Road, Cross-Kurla junction, Kurla(w), Mumbai though was pending but without considering that proposal, Respondent Nos. 1 to 3 have granted that site for being built and operated by Respondent Nos. 4 and 5. It has not been disputed by the learned counsel for the Petitioner that Respondent No. 4 has constructed and Respondent No. 5 is operating the said Pay and Use Toilet.

2. In the circumstances, since the construction is already over and its use has also been started, the learned counsel for the Petitioner submits that Respondent Nos. 1 to 3 may be directed to consider the Petitioner's proposal for allotment of any other appropriate site to the Petitioner of which a fresh proposal will be submitted by the Petitioner within two weeks.

3. Having regard to the aforesaid limited prayer, we dispose of this Petition by directing the competent authority of Municipal Corporation to consider the proposal as may be submitted by the learned counsel for the Petitioner within two weeks and take appropriate decision on it as per its policy and in accordance with law as expeditiously as possible. Needless to mention, we have not expressed any opinion on the merits of the controversy.

4. With the aforesaid direction, Petition stands disposed of.

5. The parties to act on the authenticated copy of the order.

(M.S. KARNIK, J.)

(S.S. KEMKAR, J.)