

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**O.O.C.J.**

WRIT PETITION NO.636 OF 2004

Mumbai Public Welfare Association

...Petitioner

v/s.

State of Maharashtra and ors.

...Respondents

None for the Petitioner.

Mr.L.T.Satelkar, AGP for the State.

Ms.Sonia Putta i/b Solomon & Co. for the Respondent No.3.

...
CORAM : A.S.OKA &**A.A. SAYED, JJ.****DATED : 13 OCTOBER 2016****ORAL JUDGMEENT:** *(Per A.S.Oka,J.)*

None appears for the Petitioner. The Writ Petition is in the nature of PIL. The question is whether with the passage of time, the writ of mandamus which is sought in the Petition can be granted. At the relevant time, when the Petition was filed, the prayer was based on reservation provided in the development plan.

2. If the reservation provided in the development plan for construction of a road between Mahakali Caves Road and Central MIDC Road continues to exist, it is for the Petitioner to make appropriate representation to the Planning Authority in that behalf.

3. We are sure that if such representation is made the same shall be expeditiously decided in accordance with law.
4. Subject to what is observed above, the Petition is disposed of. Rule is discharged with no order as to costs.

(A.A. SAYED, J.)

(A.S.OKA, J.)