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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9446 OF 2015

Kapileshwara Builders and Developers

.. Petitioner

Versus

Thane Municipal Corporation and ors.

.. Respondents

Ms. Minal Chandanani i/by Mr. J. S. Chandnani for petitioner.

Mr. Mandar Limaye for respondent nos.1 and 3.

Ms. R. A. Salunkhe, AGP for respondent no.2 – State.

CORAM: NARESH H. PATIL &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

APRIL 25, 2017.

P.C.

1. The petitioner seeks direction to the Corporation to construct a road to facilitate approaching the building / tower proposed to be constructed. Learned counsel appearing for the Corporation submits that there are encroachments on the DP road and unless the encroachments are removed in accordance with law, work order cannot be issued.

2. Learned counsel appearing for the petitioner submits that the work order for the construction of the road is already issued.

3. In the facts, we observe that the planning authority shall take a final decision in the larger public interest at the earliest.

4. Petition is disposed of accordingly.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(NARESH H. PATIL,J.)