

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

C.A.O. NO. 59/17 IN PUBLIC INTEREST LITIGATION NO. 106 OF 2015

(Court on its own motion .vs. The State of Maharashtra & others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Mr. A.M. Quazi, Advocate for applicant/respondent no.5.
Mr. S.N. Bhattad, Advocate/Amicus Curiae for petitioner,
Mr. S.M. Ukey, Addl. G.P. for respondent nos.1 to 3,
Mr. P.S. Sahare, Advocate for respondent no. 6.

CORAM : B.R. GAVAI & P.N. DESHMUKH, JJ.

DATED : MARCH 3, 2017.

This is an application in effect for modification of the order dated 18.2.2016 passed in P.I.L. No. 106/15 and permitting the Nagpur Municipal Corporation to get the work of laying cable and other infrastructure done after 8 p.m.

A similar application filed by Nagpur Municipal Corporation is allowed vide order dated 17.3.2016 vide which exemption was granted for doing the work of cementing of the roads. This Court also vide order dated 28.4.2016 has allowed the application of Nagpur Metro Railway Project for permitting the construction after 8 p.m.

In the present case, as a matter of fact, taking into consideration the nature of the work if it is carried out during day time, it will only add to the inconvenience of the citizens. In that view of the matter, it is appropriate that the work is completed during night hours.

The application is, therefore, allowed. The Nagpur Municipal Corporation is permitted to execute the work which is subject matter of the present application during night hours, i.e. after 8 p.m.

Judge

Judge

J.