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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4081 OF 2018
WITH
CIVIL APPLICATION STAMP NO. 28261 OF 2018
(Not on board)

Anand Suresh Uttarkar and anr.

.. Petitioners

Vs.

State of Maharashtra and ors.

.. Respondents

Mr. A. V. Anturkar, Sr. Advocate i/by Mr. S. B. Deshmukh for petitioners.

Ms. Nisha Mehra, AGP for respondent nos.1 and 2.

Mr. P. K. Dhakephalkar, Sr. Advocate i/by Mr. A. P. Kulkarni for respondent no.3.

Mr. Mandar Limaye a/w M. S. Lagu for applicant-intervenor.

CORAM: NARESH H. PATIL, ACTING CJ. &
G. S. KULKARNI, J.

OCTOBER 03, 2018.

P.C.

1. We have heard Mr. Anturkar, learned Senior Counsel appearing for the petitioners and Mr. Dhakephalkar, learned Senior Counsel appearing for respondent no.3.

2. Apart from the issue relating to Maharashtra Regional Town Planning Act, 1966, the learned Senior Counsel appearing for the

petitioners raises several issues relating to environmental permission.

3. On instructions, learned Senior Counsel appearing for the petitioners submits that an appropriate proceedings would be initiated before the National Green Tribunal constituted under the National Green Tribunal Act, 2010.

4. The petitioners may adopt such a course. However, in this petition the petitioners have prayed for the relief concerning the development plan as approved by the State on 5/1/2017, which need not be kept pending.

5. We observe that as and when need arises, the petitioners are at liberty to approach this court for revival of this petition. Petition is disposed of. All contentions are kept open.

6. Civil Application Stamp No. 28261 of 2018 does not survive and is disposed of with liberty.

G. S. KULKARNI J.

ACTING CHIEF JUSTICE