

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12736 OF 2018

Trent Ltd. and anr.

.. Petitioners

Vs.

Navi Mumbai Municipal Corporation and ors.

.. Respondents

Mr. Prasad Dhakephalkar, Sr. Advocate with Mr. Vishal Kanade and Ms. Pooja Kothari for petitioners.

Mr. S. V. Marne for respondent nos.1 to 5 – Corporation.

Mr. P. P. Kakade, AGP for respondent no.6 – State.

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

NOVEMBER 01, 2018.

P.C.

1. Heard the learned counsel for the parties.
2. The learned senior counsel for the petitioners submits that the petitioners, without prejudice to their rights and contentions, would make necessary application to the Corporation for installing the subject hoarding. The learned counsel further submits that the notice dated 20/10/2018 (Exhibit – E) issued under Section 54 of the MRTP Act, 1966 as well as the

communication dated 22/10/2018 (Exhibit – G) demanding cost of Rs.50,000/- be quashed and set aside.

3. The learned counsel appearing for the Corporation, on instructions, submits that he has no objection for quashing the aforesaid notices i.e. Exhibits E and G.

4. In the facts, we observe that petitioners are entitled to make necessary application to the Corporation for installing the subject hoarding. If such an application is made within two weeks, the concerned authority of the Corporation to decide the said application on its own merits within two weeks thereafter. The notice dated 20/10/2018 (Exhibit – E) issued under Section 54 of the MRTP Act, 1966 as well as the communication dated 22/10/2018 (Exhibit – G) demanding cost of Rs.50,000/- are quashed and set aside.

5. Petition stands disposed of accordingly.

G. S. KULKARNI J.

CHIEF JUSTICE