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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1296 OF 2018

S.D. Corporation Private Limited ... Petitioner
Versus
State of Maharashtra & Ors. ... Respondents

Mr. R.D. Soni, with Mr. Saket Mone, i/b Vidhi Partners for
Petitioner in both.

Mr. S.B. Gore, AGP for Respondent – State in WPL No. 1296 of
2018.

Ms. Shital Mane, for the Respondent – BMC.

Mr. Sukanta Karmakar, AGP for Respondent – State in WPL No.
1350 of 2018.

**CORAM: A.S. OKA AND
RIYAZ I. CHAGLA, JJ.**
DATED: 19TH APRIL 2018.

PC:-

1. Not on board. Taken on board.
2. Heard the learned counsel appearing for the Petitioner, the
learned counsel appearing for the Respondent Nos. 2 to 4 and the
learned AGP for the Respondent No.1.
3. The learned counsel appearing for the Petitioner on
instructions states that the application dated 18th February 2017
is not an application which is covered by Sub section 6 of Section
8 of the Maharashtra (Urban Areas) Protection and Preservation
of Trees Act, 1975. He further states that Petitioner is giving up

the plea that there is a deemed permission granted under Sub section 4 of Section 8 of the said Act. We accept both the statements.

4. Accordingly, we dispose of the Petition by passing following order:-

- a) We direct the Respondent No.2 to take appropriate decision on the application dated 18th February 2018 filed by the Petitioner as expeditiously as possible and in any event within a period of six weeks from the date on which a copy of this order is produced in the office of the Respondent No.3;
- b) We have made no adjudication on merits of the application.
- c) The Respondent No.3 to act upon an authenticated copy of this order.

(RIYAZ I. CHAGLA J.)

(A.S. OKA, J)