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

NOTICE OF MOTION (L) No. 701 OF 2017
IN
PUBLIC INTEREST LITIGATION No. 87 OF 2006

The Bombay Environment Action Group & Anr. ... Petitioners

Vs.

The State of Maharashtra & Ors. ... Respondents

And

City and Industrial Development ... Applicant
Corporation of Maharashtra Ltd. (in notice of motion)

Mr. G. S. Hegde, for the Applicants in the notice of motion.

Ms. Geeta Shastri, Additional Govt. Pleader, for the Respondent
-State.

Mr. Rui Rodrigues a/w N. R. Prajapati, for the Respondent No. 2 –
UOI.

Ms. Sharmila Deshmukh, for the Respondent No. 3.

Ms. Pallavi Thakar, Ms. K. H. Mastakar, for the Respondent No. 4.

CORAM : A. S. OKA, &
P. N. DESHMUKH, JJ.

DATE : JANUARY 22, 2018

PC :

1. Heard the learned counsel for the Applicant. It is not even

the case of the Applicants in the affidavit in support that the State has submitted a report recording satisfactory compliance of condition Nos. (iii), (iv), (vi), (ix), (x), (xvii), and (xxvi) and that there are undertakings in respect of other conditions, duly authenticated by the competent authority of the State Government.

2. The order dated 27th January, 2010 passed by a Division Bench of this Court in Notice of Motion No. 417 of 2006 is very clear. The question of moving this Court for grant of permission will arise only after all other permissions are obtained by the Applicants.

3. Therefore, as of today, this notice of motion cannot be entertained. Subject to what is observed above, we dispose of the notice of motion while granting liberty to the Applicants to take out a fresh notice of motion after necessary compliances are made.

Sd/-
[P. N. DESHMUKH, J.]

Sd/-
[A. S. OKA, J.]