

JPP

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 53 OF 2011
IN
PUBLIC INTEREST LITIGATION NO. 132 OF 2005

Sau.Yogini Jaywant Patil ... Applicant
V/s.
Kelve Vikas Mandal and others ... Respondents

WITH
CIVIL APPLICATION NO. 73 OF 2011
IN
PUBLIC INTEREST LITIGATION NO. 132 OF 2005

Kelve Vikas Mandal and another ... Applicants
(Petitioners)
V/s.
State of Maharashtra Kelve Vikas Mandal
and others ... Respondents.
And
Coastal Aquaculture Authority and Ors. ... Proposed
Respondents.

None for the Applicant in CAI 53/2011
Mr. L.S.Gaikwad i/b. A.J.Joshi for the Applicants/Org. Petitioners in
CAI 73/2011.
Mr. K.S.Thorat, AGP for Respondent Nos.1, 4, 5 and 6.

CORAM : PRADEEP NANDRAJOG, C.J.
AND NITIN JAMDAR, J.

DATE : 9 August 2019.

P.C. :

Challenge in the Public Interest Litigation is to allotment of 5 hectare land by the Collector in favour of Respondent No.7. Issuing notice in the Public Interest Litigation, on 23 November 2005 Respondent No.7 was directed to maintain status-quo and Additional Collector, Thane was permitted to reconsider the allotment made in favour of Respondent No.7.

2. Vide Civil Application No. 53 of 2011 Respondent No.7 prays that the order dated 23 November 2005 requiring it to maintain status-quo be modified.

3. Since none appears to prosecute the application, we dispose the same.

4. Vide Civil Application No. 73 of 2011 the Petitioners seek to amend the Petition to challenge the subsequent order dated 7 May 2007 passed by the Additional Collector, Thane confirming the allotment in favour of Respondent No.7 and an order dated 29 May 2008 passed by the Coastal Authority permitting Respondent No.7 to use the land in question for purposes of farming.

5. The amendment is allowed keeping in view the order dated 23 November 2005. The Petition would be formally amended

within three weeks and re-notified. Counter affidavit, if necessary to the amended Petition, be filed within eight weeks from today.

NITIN JAMDAR, J.

CHIEF JUSTICE