

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (STAMP) NO. 37386 OF 2018**

K.I.P.L Vistacore Infra Project J.V
through its partner

Utkarsh Balasaheb Patil

...Petitioner

Versus

Ichalkaranjee Municipal Council & Anr.

...Respondents

Mr. Amey Deshmipande a/w Mr. Ganesh Misal I/b Mr. Vishal V. Kale for
the Petitioner

Mr. Akshay Shinde for the Respondent Nos. 1 and 2

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
FRIDAY, 4th JANUARY 2019**

P.C. :

1 Heard respective counsel.

2 *Prima facie*, we find that belated (alleged) handing over
of possession of land for Sewage Treatment Plant (`STP`) may not, by
itself, justify the so-called delay in execution of work of underground
drainage pipeline.

3 Maps required to demonstrate how underground pipeline cannot be laid unless and until location of STP is ascertained, are not made available for our perusal. The effort of the petitioner, however, is to urge that STP is integral part of underground drainage system.

4 We keep the contentions open.

5 Petitioner has only received show-cause notice. Petitioner has been served with the show-cause notice on 2nd January 2019. Petitioner can file an appropriate reply to it and approach the Court again, if any cause of action arises.

6 With these directions, we dispose of the matter.

REVATI MOHITE DERE, J.

B. P. DHARMADHIKARI, J.