

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

Amk

PUBLIC INTEREST LITIGATION NO. 49 OF 2017

Suresh Gangaram Bapuram

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

Mr. Rakesh Agrawal for the Petitioner.

Ms. P. H. Kantharia, Govt. Pleader for Respondent No.1 -State.

Ms. K. H. Mastakar for Respondent No.2-MCGM.

CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.

DATE : 29th JULY, 2019.

P. C. :

1. In view of order we proposed to pass in the Public Interest Litigation, there is no need to grant further time to the Respondents to file a counter-affidavit.

2. In the era of information and technology to further growth in the field of information and technology the State of Maharashtra formed the Maharashtra's Information Technology/ Information Technology Enabled Services Policy, 2015 under which land was allotted to entrepreneurs at concessional rates with further benefits of additional FSI. The grievance is to the allottees putting the constructions effected to non-IT related uses and one illustration is of M/s. Paras Gopal Enterprises to who on 15.06.2019 plot No. 543, TPS-IV, Mahim, V. S. Matkar Marg, Mumbai was allotted to set up an IT related enterprises.

Photographs filed show that the allottee is using the building constructed for non-IT related activities.

3. The Director of Industries, Government of Maharashtra is the authority which is charged with the duty to ensure that allotments made under the IT policy are not misused.

4. The Public Interest Litigation is disposed of directing the 1st Respondent to treat the Public Interest Litigation as a representation and pass necessary orders keeping in view the policy under which land has been allotted to entrepreneurs in the field of Information and Technology. While passing the order the 1st Respondent would also seek information from the 2nd Respondent concerning the violation of FSI norms. The decision would be taken qua not only Respondent No.3 but also all other allottees.

5. The decision would be taken within four months from today.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]