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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.746 OF 2021

Waterfront Constructions Pvt.Ltd. Petitioners

Vs.

The State of Maharashtra and Ors. Respondents

Mr.R.S.Kohli a/w Ms.Chandani Bhatt i/b M/s.C.K.Legal for
the Petitioner

Mr.S.S.Panchpor, A.G.P. for the State

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : JULY 20, 2021

P.C.

. Heard.

2. By this Petition, under Article 226 of the Constitution of India, Petitioner is challenging the Resolution No.119 Exhibit C at page 24 of the Petition, passed by Respondent Corporation by which Petitioner's Application dated 23.01.2019 for Registration Certificate with Maharashtra Water Conservation, Aurangabad is rejected.

3. It is the case of the Petitioner that Respondents without giving any opportunity to file their reply have

rejected their Application. Hence, he filed the present Writ Petition.

4. The learned A.G.P. for the Respondent submits that he already placed on record pursis dated 08.07.2021 stating that they will permit the Petitioner to file his further Application giving all details so that they will decide the same on its own merits. The said pursis dated 08.07.2021 reads thus:

“Pursis filed on behalf of Respondent No. 2 and 3

That the undersigned AGP has received an instructions from the office of Respondent Nos. 2 & 3 through Regional Water Conservator Officer, Soil and Water Conservation Department, Pune that the petitioner will be granted an opportunity of filing reply along with the documents if any, in respect of the allegations as against the petitioner and the documents alongwith reply if any filed within a period of 7 days will be placed before the Executive Committee for taking a decision a fresh on its own merits. The said instructions are received vide letter dated 22.06.2021 by the undersigned AGP. The said letter dated 22.06.2021 is produced before this Hon'ble Court alongwith the present pursis.

Hence, this pursis.”

5. In view of above mentioned facts, following order is passed:

- a. Resolution dated 22.06.2019 passed by Respondent no.2 Maharashtra Water Conservation Corporation is set aside.
- b. Petitioners are permitted to file additional Application and or compilation of documents in respect of his Application dated 23.01.2019 for enrolment with the Respondents within two weeks from today i.e. on or before 04.08.2021.
- c. Respondents are directed to decide Petitioner's Application on its own merits as early as possible, but in any case, within 6 weeks and inform their decision in writing to the Petitioner.
- d. Writ Petition stands disposed of accordingly.
- e. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)