

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1100 OF 2021**

Gayatri Projects Ltd. - Crescent EPC Project
and Technical Services Ltd. (JV)

... Petitioner

versus

State of Maharashtra and Ors.

... Respondents

Mr. Venkatesh Dhond, Senior Advocate with Mr. Angad Mehta, Mr. Armaan Grewal
i/by Mr. Rahul Raut, for Petitioner.
Smt. M.P.Thakur, AGP, for State.

**CORAM: S.J. KATHAWALLA &
SURENDRA P. TAVADE, JJ.
(THROUGH VIDEO CONFERENCING)**

DATE: 7th APRIL, 2021

P.C.:

1. By the above Writ Petition, the Petitioner interalia seeks the following relief :

“(a) that this Hon’ble Court be pleased to issue an appropriate writ quashing and setting aside as illegal and arbitrary the impugned demands dated 10.03.2021 bearing No.137/2021, 13.02.2021 bearing No.22/2021, 11.02.2021 bearing No.833/2021, 02.02.2021 bearing No.156 of 2021, 18.12.2020 bearing No.Reference No.05.11.2020 bearing No.114820 and 26.10.2020 bearing no.765 / 2020;”

2. We have heard the learned Advocates for the parties and we are of the view that Respondent Nos.5 and/or 6 should pass fresh orders in the matter after hearing the Petitioner and the concerned persons, if any. In view thereof, we pass the following order :

(i) The impugned demands are set aside.

(ii) Respondent Nos.5 and/or 6 shall hear the Petitioner and/or his Advocates and / or any other concerned person/s on 3rd May, 2021 at 11.00 a.m., and after considering the oral as well as written submissions of the parties, pass a speaking order within three weeks thereafter.

(iii) All contentions of the parties are kept open.

(iv) In the meantime, the Petitioner shall be allowed to carry out the work pertaining to 6th lane tunneling at Khambataki Ghat National Highway No.4, without taking any excavated materials/minerals outside the subject plot.

(v) The Writ Petition is accordingly disposed of.

(SURENDRA P. TAVADE, J.)

(S.J.KATHAWALLA, J.)