

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

CIVIL WRIT PETITION NO. 2130 OF 2019

M/s. Dimpi Advertising LLP & Ors.	...Petitioners
V/s.	
State of Maharashtra and Ors.	...Respondents

Mr. Sanjiv Punalekar a/w. Mr. Sachin Kanse i/b. PRS Legal, for the Petitioners.

Ms. K. N. Solunkhe, A.G.P. for the Respondent No.1 / State.

Mr. Jagdish G. Aradwad (Reddy), for the Respondent Nos.2 to 5.

Mr. Ganesh Shetye, Deputy Municipal Commissioner (License Department), Panvel Municipal Corporation present.

**CORAM : PRASANNA B. VARALE AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 5 JULY 2022

P.C.

. Heard learned counsel Mr. Punalekar appearing for the Petitioners alongwith learned counsel Mr. Sachin Kanse.

2. The Petitioner No.1 is an advertising agency and carrying out the business within the limits of Panvel Municipal Corporation. The grievance raised in the petition is in respect of alleged illegal demolition of hoarding / advertising structure dated 31 October 2018. Various grounds are raised in the

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petition challenging the action of demolition of advertisement hoardings. It is also submitted before this Court that the Petitioners had filed representation to Respondent No.2 Commissioner of Panvel Municipal Corporation giving all the necessary details. The submission of the learned counsel was though there were rules, the action of demolition was taken when the representation was pending. Now though the Petitioners in the present petition raised various issues, there is no dispute on the factual aspect that the representation submitted by the Petitioners to Respondent No.2 Commissioner of Panvel Municipal Corporation received by the Corporation on 16 February 2017, is pending for decision till date.

3. Considering this very fact, learned counsel appearing for the Respondent No.2 Commissioner of Panvel Municipal Corporation submits before this Court that the Respondent No.2 will decide the representation expeditiously. The learned counsel appearing for Respondent No.2 submits that the Respondent No.3 Deputy Commissioner of Panvel Municipal Corporation having charge of Licence Department would decide the representation expeditiously.

4. By accepting the statement, we deem it appropriate to dispose of the petition. Accordingly, Respondent No.3 is directed to decide the representation submitted to Respondent

No.2 on 16 February 2017 as early as possible and not later than eight weeks from the date of receipt of the order of this Court. Needless to state that the representation be decided by giving an opportunity of hearing to the Petitioners. In case, the decision is against the Petitioners or by the said decision, the Petitioners are subjected to any coercive action, the decision be kept in abeyance for a period of two weeks so as to provide an opportunity to the Petitioners to raise challenge to the decision only if the Petitioners are desirous of raising said challenge. We further make it clear that the contentions raised in the petition are kept open by this Court.

(SHRIKANT D. KULKARNI, J.)

(PRASANNA B. VARALE, J.)