

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7738 OF 2021

Suyash Sanjay Hingmire & Anr. ... **Petitioners**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Anoshak Daver a/w. Ms. Gauri Sakhardande and Mr. Yash Dhakad i/b. Mr. Tushar Goradia, Advocate for the Petitioners.

Mrs. P. J. Gavhane, AGP for the Respondent/State.

Mr. T. J. Pandian a/w. Mr. Dheer Sampat, Advocate for Respondent Nos.2 to 6/Railways.

**CORAM: S.V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : SEPTEMBER 15, 2022

P.C.

1. We have heard learned Counsel for the petitioners and the respondents.

2. The learned Counsel for the petitioners submits that to put an end to the dispute, the petitioners do not have any objection, if the wall is removed by the railway so also compound wall. It is submitted that in area of three meters from the railway line, the land would be vacated. No structure would be there at an area of three meters from the railway line boundary. The learned Counsel for the petitioners submits that respondents shall thereafter issue no-objection certificate for the proposed building.

3. The offer of the petitioners appears to be fair. Mr. Pandian, learned Counsel Counsel for respondents/railway submits that the railway would demolish the said compound wall, which is constructed inside the railway boundary.
4. In light of the above, the respondents/railway shall attend to the application of the petitioner for no-objection certificate for the proposed building and shall take steps for issuance for no-objection certificate in accordance with law expeditiously preferably within four weeks.
5. The writ petition is disposed of. No costs.

(R. N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)

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