

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

WRIT PETITION NO.261 OF 2021

Mehboob Rasool Shaikh & Anr.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr.O.K. Shaikh for the Petitioners.

Mr.L.T. Satelkar, AGP for the Respondent-State.

Mr. Anoop Patil for Respondent No.2-BMC.

Mr.J.G. Aradwad (Reddy) for Respondent No.3.

Mr. Anuj N. Narula a/w Mrs. Meena Bhatta i/by M/s. Jhangiani, Narula & Associates for Respondent No.4.

**CORAM : A.A. SAYED &
 ABHAY AHUJA, JJ.**

DATE : 12TH JANUARY 2022

(THROUGH VIDEO CONFERENCING)

P.C. :

1. Respondent No.4 is permitted to file the Affidavits which we are told, remained to be filed.

2. By consent of the parties, we dispose of the Writ Petition by passing the following order :

ORDER

(i) The Petitioners are permitted to make a Representation in respect of the flooding on account of Sewerage and Storm Water Drainage issues before the Additional Municipal Commissioner (Projects) within a

period of two weeks from today. A copy of such Representation shall be simultaneously served upon the Respondent No.4. Respondent No.4 shall be entitled to file its response to the said Representation. Such Representation shall be decided by the Additional Municipal Commissioner (Projects) within a period of twelve weeks from the receipt of such Representation and after considering the response of Respondent No.4.

(ii) We also permit the Petitioners to make a separate Representation insofar as the issue relating to the Township project of Respondent No.4 before the Joint Engineer, Development Plan. A copy of such Representation shall be simultaneously served upon Respondent No.4. Respondent No.4 shall be entitled to file its response to the said Representation and *inter alia* take a plea that the Petitioners have no *locus standi*. The Chief Engineer, Development Plan shall decide such Representation of the Petitioners after considering the Reply of Respondent No.4, expeditiously.

(iii) The Writ Petition to stand disposed of in the aforesaid terms.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)