

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

WRIT PETITION NO.1700 OF 2023

Vinay Unique Residency Co-op. Hsg. Societies
Association Ltd., Virar, Dist. Palghar .. Petitioner
Vs.
State of Maharashtra,
Through Ministry of Urban Development and Ors. .. Respondents

Mr. Sanjiv Sawant, with Mr. Abhishek Matkar and Mr. Malhar Bageshwar, for
the Petitioner.

Ms. M.P. Thakur, AGP for Respondent No.1-State.

Ms. Swati Sagvekar for Respondent Nos.3 and 4-Municipal Corporation.

Mr. Abir Patel, with Mr. Protyusha Tunawala, i/by Wadia Ghandy & Co., for
Respondent No.6.

**CORAM : A.S. CHANDURKAR &
M.W. CHANDWANI, JJ**

DATE : 10TH FEBRUARY, 2023.

P.C. :

1. After hearing learned counsel for the parties, we find that the petitioner, on 2nd January 2023, has made a representation to the Municipal Corporation requiring the Municipal Corporation to forthwith revoke / cancel the permissions / approvals granted to the respondent no.6 including the Commencement Certificate issued to it. The aforesaid representation is still undecided. We find that the Municipal Corporation can be directed to take a decision on the petitioner's representation so as to enable it to consider the petitioner's grievances.

2. To meet the ends of justice, the following order is passed :-

- (i) The respondent no.3-Municipal Commissioner shall consider the petitioner's representation dated 2nd January 2023, after grant of an opportunity of hearing to all the concerned parties.
- (ii) A decision thereof be taken within a period of four weeks of the parties being heard. The decision taken be communicated to the parties.
- (iii) The necessary exercise be completed within a period of six weeks from today.
- (iv) The contentions of all parties are kept open for being urged depending on the outcome of the decision on the representation.

3. Writ Petition is disposed of.

[M.W. CHANDWANI, J.]

[A.S. CHANDURKAR, J.]