

Anand

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

WRIT PETITION NO. 2634 OF 2023

P. N. K. Space Development Pvt. Ltd. & anr. .Petitioners

Vs.

Mira-Bhayandar Municipal Corporation .Respondent

Mr. A. R. Gole, Advocate, for the Petitioners

Mr. M. S. Lagu, Advocate, for the Respondent - Corporation

**CORAM : A. S. CHANDURKAR AND
ABHAY S. WAGHWASE, JJ.**

DATE : 2 MARCH 2023

P. C.

. Considering the short issue involved, the Writ Petition is taken up for final disposal. The grievance of the Petitioners is the construction of a bus-stop in front of a project that is being developed by Petitioner No. 1. According to the Petitioners, the Municipal Corporation is proposing to locate a bus-stop in front of the project undertaken by Petitioner No. 1, as a result of which, it is likely that there will be some obstruction in front of the entry gate of the said project. According to the Petitioners, the tender notice indicates a different place as location of the bus-stop and the Municipal Corporation has deviated from the same. In that regard, the Petitioners have on 02.02.2023 and 11.02.2023 raised objection to the location of the bus-stop by representing

the matter to the Municipal Commissioner.

2. In these facts, interest of justice would be served by issuing the following directions.

(i) The Municipal Commissioner shall consider the representations made by the Petitioners on 02.02.2023 and 11.02.2023 within a period of two weeks from the date of appearance of the Petitioners' representative before the Municipal Commissioner;

(ii) The Petitioners' representative shall appear before the Municipal Commissioner on 06.03.2023;

(iii) A decision on the said representations be taken in accordance with law and such decision be communicated to the Petitioners;

(iv) Till the representations are decided, the Municipal Corporation shall not go ahead with the further work of construction of the bus-stop.

3. With these directions, the Writ Petition is allowed and disposed of.

(ABHAY S. WAGHWASE, J.)

(A. S. CHANDURKAR, J.)