

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13712 OF 2022

Prabhu Niwas Coop. Hsg. Society Ltd., through its ... Petitioner
Chairman

Versus

State of Maharashtra, through the Addl. Govt. Pleader ... Respondents
& Ors.

Ms. Nilam N. Vete for the petitioner.

Ms. Rupali M. Shinde, AGP for respondent no. 1/State.

Ms. Swati Sagvekar for respondent no. 4.

Mr. Rohit Sakhadeo for respondent no. 5/CIDCO.

CORAM: G. S. KULKARNI
& R.N. LADDHA, JJ.
DATED: 13 April, 2023

P.C.

1. We have heard Ms. Vete, learned counsel for the petitioner, Ms. Shinde, learned AGP for respondent no. 1, Ms. Sagvekar, learned counsel for respondent no. 4/Municipal Corporation and Mr. Sakhadeo, learned counsel for respondent no. 5/CIDCO. We have also perused the reply affidavit filed by CIDCO. It appears that CIDCO is no more concerned with Vasai Virar sub-region project and the records related to Vasai Virar sub-region project is handed over by CIDCO to Vasai Virar Municipal Corporation.

2. The petitioner has many grievances. There are multiple causes of action which are clubbed into this petition. Considering the large number of prayers as made by the petitioner, it is not possible for us to grant such reliefs to the

petitioner and more particularly when the petitioner has prayed for reliefs against the private party in exercise of jurisdiction of this Court under Article 226 of the Constitution of India.

3. Be that as it may, it appears that some of the grievances raised by the petitioner are likely to be genuine. In that case, we permit the petitioner to make a representation to the Vasai-Virar Municipal Corporation for the action to be taken in accordance with law. If the petitioner has any other grievance, the petitioner is also permitted to make a representation to the concerned authority of the said department.

4. Disposed of with liberty to the petitioner to move an application as permissible in law including to make representation to the authorities as observed by us above. We keep open all contentions of the parties in that regard.

5. If the representation is made by the petitioner within two weeks from today to the concerned authorities, let the same be decided within a period of four weeks from its submission after granting an opportunity of hearing to the parties/stakeholders.

(R.N. LADDHA, J.)

(G. S. KULKARNI, J.)