

Wadhwa

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14776 OF 2023**

Mahavir Realtors ...Petitioner
Versus
Vasai Virar City Municipal Corporation & Ors ...Respondents

**WITH
WRIT PETITION NO. 14777 OF 2023**

Mukti Builders & Ors ...Petitioner
Versus
Vasai Virar City Municipal Corporation & Ors ...Respondents

**WITH
WRIT PETITION NO. 14778 OF 2023**

MM Construction ...Petitioner
Versus
Vasai Virar City Municipal & Ors ...Respondents

**WITH
WRIT PETITION NO. 14779 OF 2023**

Raj Maitry & Eskon Developers ...Petitioner
Versus
Vasai Virar City Municipal Corporation & Ors ...Respondents

**Ms Sneha Prabhu, i/b Kinnari Mehta, for the Petitioner in all the
Writ Petitions.**

Ms Swati Sagvekar, for Respondent No 1 (VVCMC) in all the Writ

Petitions.

**Mr Kedar Dighe, Addl GP with Mr AA Alaspurkar, AGP, for the
Respondent-State in all the Writ Petitions.**

Mr Ajinkya Jaibhave, for Respondent No 5 in all the Writ Petitions.

**CORAM G.S. Patel &
 Kamal Khata, JJ.**

DATED: 29th November 2023

PC:-

1. We have passed several orders in similar Writ Petitions. In this matter also construction is complete. There is no question therefore of insisting on a renewed Environmental Clearance for a project that is already complete. This is the only reason the Occupancy Certificate (“OC”) has been withheld although there is a Consent to Operate from the Pollution Control Board that is valid until tomorrow, 30th November 2023.

2. Accordingly in all these Petitions we direct the 1st Respondent, Vasai Virar City Municipal Corporation, (“VVCMC”) to process the OC application made by the Petitioner at the earliest and in any event within two weeks from today without insisting on a renewed or revalidated Environmental Clearance (construction having been completed).

3. This does not dispense with the requirement for any other compliance that may be required under the applicable Development Control Regulations (“DCR”) or planning law.

4. All Petitions are disposed of in these terms. There will be no orders as to costs.

(Kamal Khata, J)

(G. S. Patel, J)