

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****ORDINARY ORIGINAL CIVIL JURISDICTION*****WRIT PETITION NO. 4355 OF 2022****Eco Recycling Limited & Anr.****..... Petitioners****VERSUS****State of Maharashtra & Ors.****..... Respondents**

Mr. Tushar Gujjar, a/w. Mr. Deepak Singh, Mr. Ramana Deshmukh,  
Ms. Jyoti Kukreja, i/b. M/s. SL Partners for the Petitioners.

Ms. Jyoti Chavan, A.G.P. for the State – Respondent nos. 1 to 4 and 6 to  
8.

Mr. Niranjan Shimpi for the Respondent nos. 9 and 10 – UOI.

**CORAM: R. D. DHANUKA AND  
M.M. SATHAYE, JJ.**

**DATE : 5TH JANUARY, 2023**

**P.C:-**

We have perused the prayers and the designations of the respondents having their offices at Thane. The matter pertains to the Appellate Side. Leave to amend is granted to amend this writ petition. Amendment shall be carried out within one week from today. Upon the petitioners' carrying out such amendment, office is directed to transmit the papers and proceedings to the Appellate Side for renumbering.

2. Issue notice upon the respondent nos. 5 and 10. Insofar as respondent nos.1 to 4, 6, 7 and 8 are concerned, the papers may be served upon the office of the Government Pleader to the Appellate Side. Learned counsel for the respondent no.9 waives service. Notice is made returnable on **20<sup>th</sup> February, 2023**. Humdast is permitted.

3. In addition to the Court notice, the petitioners are also permitted to serve the unserved respondents by private notice, by all permissible modes of services available in law.

4. The respondent nos.1 to 8 shall file an affidavit and to indicate whether it is possible to carry out the construction of the public moterable road, as prayed in prayer clause (a) of the petition or not and if possible, within how much time the same can be constructed.

5. Affidavit in reply, if any, to be filed within three weeks from the service of the papers and proceedings with a copy to be served upon the petitioners' advocate simultaneously. Rejoinder, if any, to be filed within one week thereafter with a copy to be served upon the respondents' advocate simultaneously.

6. The petitioners are directed to communicate this order to the respondents for information and compliance.

**[M. M. SATHAYE, J.]**

**[R. D. DHANUKA, J.]**