

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5287 OF 2024

Sunshine Developers & Ors ...Petitioners
Versus
The State of Maharashtra & Ors ...Respondents

Ms Sneha Prabhu, i/b Kinnari Mehta, for the Petitioner.
Ms Swati Sagvekar, for Respondent No. 2.
Ms Jaya Bagwe, for Respondent No. 3 (MPCB)
Ms RM Shinde, AGP, for the Respondent-State.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 7th August 2024

PC:-

1. Heard learned counsel for the parties.
2. The challenge in this Petition is to the communication dated 16/02/2024 by which Vasai Virar City Municipal Corporaiton ("VVCMC") has rejected the Petitioner's application for Occupancy Certificate ("OC"). The rejection is on the ground that the Sewage Treatment Plant ("STP") set up in the building complex rejected on the ground that the consent to operate this STP has not been revalidated by the Maharashtra Pollution Control Board ("MPCB").

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3. Learned counsel for the Petitioner states that the Petitioner has now taken necessary steps and also applied to the MPCB vide application dated 18/07/2024 for the necessary revalidation. Learned counsel for the MPCB states that this application will be disposed of in accordance with law and on its own merits within three weeks from today. This statement is accepted and MPCB will have to act accordingly.

4. Learned counsel for the Corporation states that once the consent to operate is revalidated, the Corporation will issue the necessary OC by following the law. The learned counsel for the Corporation states that if any additional compliances are necessary, same will be immediately intimated to the Petitioners and in short, the application for OC will be disposed of expeditiously. The OC must be issued within two weeks from reporting the compliance.

5. The Petition is disposed of with the above directions. There shall be no orders for costs.

6. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)