

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5788 OF 2024

Sunrise Construction Co Through Its Sole Prop Anil ...Petitioner
Ramchandra Goyal

Versus

State of Maharashtra Through Urban Development ...Respondents
Dept & Ors

***Ms Agnel Carnerio, with Gayatri Sathe, i/b Mulla & Mulla & Craigie
Blunt & Caroe, for the Petitioner.***

Ms Dhruti M Kapadia, AGP, for Respondent No. 1-State.

Ms Swati Sagvekar, for Respondents Nos. 2 & 5.

Mr Akshay P Shinde, for Respondent No. 4.

Mr Devansh Shah, i/b Vidhii Partners, for Respondent No. 6.

**CORAM: ARIF S. DOCTOR, &
 SOMASEKHAR SUNDARESAN, JJ.**
**DATED: 7th November 2024
 (Vacation Court)**

PC:-

1. Ms Sagvekar today entered appearance on behalf of Respondent No. 2 and tendered a copy of the letter dated 6th November 2024. She seeks time to take instructions as to whether the realignment of the road would affect the Petitioner's plot and thereby justify the notice.

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However, on a perusal of Mumbai Metropolitan Region Development Authority's ("MMRDA") letter dated 13th August 2024, it is clear that the works contemplated would affect only two villages, namely, Girij and Bapane whereas the Petitioner's plot is in village Sandor. Thus, *ex-facie* it appears that the stop work would be inapplicable to the Petitioner's plot and the Petitioner's plot would not be affected by realignment.

2. To enable Ms Sagvekar for Respondent No. 2 to take necessary instructions, list the matter tomorrow, 8th November 2024, in view of the crippling cost that the Petitioner has to bear given each day delay.

(SOMASEKHAR SUNDARESAN, J)

(ARIF S. DOCTOR, J)