

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6459 OF 2024

M/s. Automotive Services

(Petrol Pump Division)

Through its authorized Parnter

Mr.Vilas Gavankar

: Petitioner.

Vs.

Deputy Chief Controller of

Explosive and ors.

: Respondents.

Mr. Chetan G. Patil (Through V.C.) for the Petitioner.

Mr. Prerak A. Sharma for Respondent No.4.

Mr. M. M. Pabale AGP for Respondent No.5.

**CORAM : ARIF S. DOCTOR, &
 SOMASEKHAR SUNDARESAN, JJ.**
DATE : 21st MAY 2024
[Vacation Court]

P.C. :

1. The office report shows that service of notice is still awaited. Mr. Sharma, Learned Counsel appearing on behalf of the Respondent No.4, points out that this Petition has become infructuous since Respondent No.4 has now been allotted the site in question and has proceeded to commence excavation for the

purposes of putting construction thereupon. Mr. Patil, Larned Counsel appearing on behalf of the Petitioner, refuted this and submitted that the Petition would still survive.

2. However, since the service report is awaited and since we do not find any extreme urgency in the matter, list the Petition before the Regular Bench.

(SOMASEKHAR SUNDARESAN, J.)

(ARIF S. DOCTOR, J.)