

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8639 OF 2024

Ishan Publicity ...Petitioner
Versus
The State of Maharashtra & Ors ...Respondents

Ms Minal Chandnani, for the Petitioner.
Ms SS Bhende, AGP, for the Respondent-State.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 20th June 2024

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1. Heard learned Counsel for the parties.
2. Learned Counsel for the Petitioner states that notice has been served on the Respondents including the 2nd Respondent. Despite notice we find that there is no appearance on behalf of the 2nd Respondent.
3. Learned Counsel for the Petitioner produced a communication dated 19th June 2024 issued on behalf of Mumbai Metropolitan Regional Development Authority (“MMRDA”) stating that Petitioner’s apprehension for retention has been

rejected. On preliminary scrutiny, it was observed that the same was not in the prescribed format and the Petitioner has not complied with the deficiencies mentioned in MMRDA's deficiency letter addressed by 2nd Respondent.

4. Learned Counsel for the Petitioner submits that rejection for retention is without giving an opportunity to the Petitioner to comply with the deficiencies mentioned in MMRDA's letter.

5. Learned Counsel for the Petitioner further submits that in fact the application was made in the prescribed format and there were no deficiencies.

6. Considering the above position and the fact that Petitioner has produced a Structural Stability Certificate in respect of hoarding which sought to be demolished.

7. We restrain the 2nd Respondent from enforcing the impugned notice dated 24th May 2024 until the next date, i.e., 25th June 2024.

8. List the matter on 25th June 2024 along with Writ Petition No. 7794 of 2024 which is also scheduled to be come up on the same date.

(Kamal Khata, J)

(M.S. Sonak, J)