



Pradnya

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10219 OF 2024

Ishan Publicity ...Petitioner
Versus
State of Maharashtra and ors. ...Respondents

Ms. Minal Chandnani, *for the Petitioner.*
Mrs. Rupali Shinde, AGP, *for Respondent No.1-State.*
Adv. Kavita N. Solunke, *for Respondent Nos.2 to 4-MMRDA.*
Mr. Sachin Pawar, *Regional Planner, is present in Court.*

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 24th July 2024

PC:-

1. Heard learned counsel for the parties.
2. Pursuant to our order dated 22nd July 2024, a site inspection was carried out, and the site inspection report has been filed before us.
3. The site inspection report indicates that the hoarding put up by the Petitioner is 40×40 feet at a distance of about 21 feet and 9 feet respectively from residential structures.

4. Learned counsel for the Mumbai Metropolitan Regional Development Authority (“MMRDA”) which is the prescribed authority points out that this close to residential premises only hoarding of 10×40 feet (vertical x horizontal manner) would be permitted.

5. This is a case where the Petitioner put up its hoarding without obtaining any permission from MMRDA and only based on the permissions from the Panchayat which was not even the appropriate authority for granting such permissions. After the hoarding was ordered to be demolished, the Petitioner was given an opportunity to apply for retention/regularisation. This regularisation was declined by MMRDA on the ground that the hoarding was not in accordance with the MCGM’s guidelines of 2022 and circular dated 2nd December 2022.

6. Now that the MMRDA states that hoarding having the size of 10x40 feet (vertical x horizontal) is permissible, learned counsel for the Petitioner seeks about 15 days to pull down the existing hoarding and to apply to MMRDA for erecting a hoarding having size of 10x40 feet (vertical x horizontal). Accordingly, 15 days time is granted to the Petitioner to pull down the existing hoarding. Subject to pulling down the existing hoarding, the Petitioner is also granted the liberty to apply to MMRDA to erect a hoarding with the size of 10x40 feet at the same location. If such application is made by the Petitioner after pulling down the existing hoarding, the MMRDA is directed to dispose of such application in accordance with law within four weeks from its filing.

7. This Writ Petition is disposed of with the above directions without any order for costs.
8. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)