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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
REVIEW PETITION NO. 7 OF 2024

Bhartu Estates (P) Ltd ...Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr ...Respondents

Dr VG Bhartu, *with Shahzad M Panday, for the Petitioner.*
Ms Geeta Shastri, *with Pooja for the Respondent.*

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 1st April 2024

PC:-

1. The Review is sought of our judgment dated 30th January 2024 on the ground that on the date of application, the Development Control and Promotion Regulations, 2034 (“DCPR”) in question and specifically the second proviso to DCPR 32(4) read differently.
2. This is no ground for review.
3. We looked at the amended second proviso to DCPR 32(4) as pointed out by Ms Shastri it is the law on the date of the sanction that is applicable. That has been settled not once but several times

by the Hon'ble Supreme Court: *Usman Gani J Khatri v Pune Cantonment Board & Ors*;¹ *State of West Bengal v Terra Firma Investment & Trading Pvt Ltd*;² *Howrah Municipal Corporation & Ors Ganges Rope Co Ltd & Ors*.³

4. In view of this, there is no substance in the Review Petition.

5. The Review Petition is dismissed.

(Kamal Khata, J)

(G. S. Patel, J)

1 (1992) 3 SCC 455.

2 1995(1) SCC 125.

3 2004 (1) SCC 663.