



Vinita

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 529 OF 2024

1. Dr. Erwin Desa, Age 69 years, Married, Retired, H. No. 197/1, Opp. Deccan, Mollar, Corlim, Ilhas, Goa 403110
2. Dr. Elgar Desa, Age 71 years, Married, Retired, H. No. 197/2, Opp. Deccan, Mollar, Corlim, Ilhas, Goa 403110
3. Dr. Savio Sequeira (Eduardo Sequeira) Age 72 years, Married, Retired, H. No.202, Opp. Montforte Institute, Mollar, Corlim, Ilhas, Goa.
4. Dr. Simon N. De Sousa, Age 79 years, Married, Retired, H.No. 200/9, Opp. CIBA, Mollar, Corlim, Ilhas, Goa 403110
5. Edwin Gomes, Age 53 Years, Married, Business, H. No. 201/2, Mollar, Corlim, Ilhas, Goa 403110
6. Maria Purificação D'Mello, Age 71 Years, Married, Business, H. No. 200, Near Sai Apts., Opp. Syngenta, Corlim, Goa 403110.
7. Joseph Cardozo (Kashinath Kavlekar), Age 58 Years,

Married, Business, c/o Camilo
Wines, Rising Sun, H. No. 198,
Opp. Deccan, Corlim, 403110

8. Agnelo D'Souza, Age 60 Years,
Married, Service, H. No. 220,
Mollar, Corlim, Ilhas, Goa
403110
9. Laxmikant Nagvekar, Age 62
Years, Married, Business,
H.No. 279, Mollar, Corlim,
Ilhas, Goa 403110
10. Joseph Kothukatt, Age 70
Years, Married, Retired, Smita
Bhavan, H. No. 273/1, Mollar,
Corlim, Ilhas, Goa 403110
11. Domingos Monteiro,
Age 54 years, Married,
Business, H.No.214, Mollar,
Corlim, Ilhas, Goa 403110
12. Estanislao Luis Rodrigues, Age
57 years, Married, Service,
H.No. 270, Mollar, Corlim,
Ilhas, Goa 403110
13. Malaquias Gabriel de Menezes,
Age 74 years, Married, Retired,
MGM Bldg., Mollar, Corlim,
Ilhas, Goa 403110
14. Annie Nazareth, Age 47 years,
Married, Business H.No.273,
Annie Villa (Ching Chong),
Mollar, Corlim, Ilhas, Goa
403110

15. Maxy Gonsalves (Arcanjela),
Age 51 years, Unmarried,
Service, H. No. 276, Mollar,
Corlim, Ilhas, Goa 403110
16. Suzana Carmina Rodrigues,
Age 56 years, Married, Service,
H.No. 270/B Mollar, Corlim,
Ilhas, Goa 403110
17. Kamlakant Khandeparkar, Age
60 years, Married, Retired, H.
No. 12, Satyam Hotel, Mollar,
Corlim, Tiswadi, Goa 403110
18. Mathurdas Shirodkar, Age 67
years, Married, Business,
H.No. 232, Chetan Bar, Mollar,
Corlim, Tiswadi, Goa 403110
19. Suresh Shirodkar, Age 75
years, Married, Retired, H.No.
227, Near Chetan Bar, Mollar,
Corlim, Tiswadi, Goa 403110
20. Lira Clara Gomes, Age 78
Female, Married, Housewife,
Tiswadi, Goa 403110
21. Tukaram Vasudev Gaunkar,
Age 41 years, Married, Self
Employed, H.No. 23/3, Opp.
Lokmanya Bank, Mollar,
Corlim, Tiswadi, Goa 403110
22. Joseph Fernandes, Age 73
years, Married, Retired, 17,
Khadri Mansion, 30 Mhella
Patel AgairyLane, Grant Road,
Mumbai 400007

23. Nancy Fernandes, Age 63 years, Married, Housewife, H. No. 214, Opp. Ching Chong, Mollar, Corlim, Ilhas, Goa 403110
24. Manohar Vaman Naik, Age 68 years, Married, Business, H. No. 209, Mollar, Corlim, Ilhas, Goa 403110
25. Alisha Pereira (Francisco Pereira), Age 30 years, Married, Housewife, H. No. 204, Mollar, Corlim, Ilhas, Goa 403110
26. Poornima Premanand Naik, Age 59 years, Married, Housewife, H. No. 225, Mollar, Corlim, Ilhas, Goa 403110
27. Prajay Ramrai Naik, Age 31 years, Unmarried, Business, H. No. 223, Opp. IOB, Corlim, Ilhas, Goa 403110
28. Ave Maria Rodrigues, Age 58 years, Married, Service, H. No. 278, Mollar, Corlim, Ilhas, Goa 403110
29. Denzil Francisco Maria Martins, Age 69 years, Married, Retired, La Fleur, Opp. IOB, Corlim, Ilhas, Goa 403110
30. Joseph Gomes, Age 63 years,

Married, Retired, H. No. 291,
Mollar, Corlim, Ilhas, Goa
403110

31. Laura Pereira, Age 76 years,
Married, Housewife, H. No.
208, Opp. Cross, Mollar,
Corlim, Ilhas, Goa 403110
32. Anant P. Malik, Age 53 years,
Married, Business, Malik
Petrol Pump, Opp. Vijaynagar
Soc., Corlim, Tiswadi, Goa
403110
33. Ronaldo Gomes, Age 62 years,
Married, Business, H. No. 267,
Mollar, Corlim, Tiswadi, Goa
403110
34. Joseph Alphonso, Age 47 years,
Married, Service, Block
46/202, KadambaMilroc,
Bainguinim, Old Goa
35. Kakulo L. Bhomkar, Age 65
years. H. No. 172, Mahadev
Restaurant, Mollar, Corlim,
Tiswadi, Goa 403110
36. Joao M. A. Fernandes, Age 63
years, Married, Retired, H. No.
217, Mollar, Corlim, Ilhas, Goa
403110
37. Jaime F.A. Sequeira, Age 71
years, Married, Retired, H. No.
207, La Cris Villa, Opp. Cross,
Mollar, Corlim, Ilhas, Goa
403110

38. Virendra Chandrakant Naik
Age 55 years, Married,
Business, H. No. 211/A, Hotel
Visava, Mollar, Corlim,
Tiswadi, Goa 403110
39. Andre A F Gracias, Age 68
years, Married, Retired, H. no
195A Mollardulapi Main road
corlim goa.
40. Ronald F T Gracias Age 67
years, Married, Retired, H. no
195B Mollardulapi Main road
corlim goa
41. Denzil Fernandes Age 48 years,
unmarried, Business, H. no
202/5 Mollar Corlim Tiswadi
North Goa
42. Aloka Desa Age 28 years,
unmarried, Student, H. No.
197/2, Opp. Deccan, Mollar,
Corlim, Ilhas, Goa 403110
43. Suresh Rama Gaude Age 65
years, H. no.115/2 Gautanwada
Bhoma
44. Surekha Suresh Gaude, Age 60
years, Married, Housewife, H.
no 108 Gautanwada Bhoma
Near Mahadev sateri Temple
45. Ranjana Sandeep Naik, Age 54
years, Married, Housewife,
Madhalwada Bhoma Near
Mhadevsateri Temple

46. Leela Tulsidas Naik, Age 68 years, Married, Housewife, H.no 98, Opp Mahadev sateri temple Bhoma
47. Sitaram Harichandra Gaude Age 58 years, Married, Retired, H no 110 Gautanwada Bhoma Near Sateri Mahadev temple
48. Uttara Dina Bhomkar, Age 68 years, Married, Housewife, H. no 105 Gautanwada Bhoma, opp Mahadev Sateri temple
49. Pandurang Anant Naik, Age 62 years, Unmarried, Retired, H. no 103/A Gautanwada Bhoma
50. Ramakant Anant Naik Age 59 years, Unmarried, Retired, Gautanwada Bhoma
51. Ramesh Vishnu Kundaikar, Age 67 years, Married, Retired, 15 Hno 110 Opp Mahadev sateri temple
52. Kishore Chandrakant Naik, Age 52 years, Unmarried, Retired, Opp Mahadev sateri temple Bhoma
53. Ramakant Narayan Fadte, Age 65 years, Married, Retired, Opp Mahadev sateri temple
54. Vinayak Babuso Kavlekar, Age

65 years, Married, Retired,
H.no 109 Opp Mahadev sateri
temple

55. Uma Vishvanath Pai Age 67
years, Married, Housewife,
Gautanwada Bhoma
56. Bindiya Prajyot Naik, Age 38
years, Married, Housewife,
Opp Mahadev sateri temple
Bhoma.
57. Sarina Khan, Age 38 years,
Married, Housewife, Hno 204
Muslim wada BhomaPetitioners.

Versus

1. Union of India, Through The
Ministry of Road Transport &
Highways, Department of Road
Transport & Highway,
Government of India,
Transport Bhavan, Parliament
Street, New Delhi.
2. State of Goa, Through Chief
Secretary PWD (National
Highways), Secretariat, Alto
Porvorim, Goa.
3. The Special Land Acquisition
Officer, National Highways,
(SLAO, NHS) PWD (Cell),
Altinho, Panaji, Goa.
4. National Highway Authority
Near Dr. BR Ambedkar,
Vocational Centre Head Land,

Sada, Mormugao, Goa.

5. The Ld. Competent Authority of Land Acquisition (CALA) officer, Office of the Special Land Acquisition Officer, PWD (Cell), Altinho, Panaji, GoaRespondents

Ms Asha Desai and Ms V. Kubal, Advocates for the petitioner.

Mr Devidas Pangam, Advocate General, with Mr Deep Shirodkar and Ms Maria Correia, Addl. Govt Advocates for the respondent nos.2 and 3.

**CORAM: BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.**

Date: 18th June 2025.

Judgment (*Per Nivedita P. Mehta, J*).

1. Heard Ms A. Desai, learned counsel for the petitioners and Mr D. Pangam, learned Advocate General for the respondent nos. 2 and 3.
2. Rule. Rule made returnable forthwith.
3. With the consent of the learned counsel for the parties matter is heard finally.
4. The petitioners have assailed the order dated 03.01.2023 passed by the learned Competent Authority of Land Acquisition

(hereinafter referred to as 'CALA'), Altinho, Panaji, Goa, and the Notification dated 24.07.2023 issued under section 3-D (1) of the National Highways Act, 1956(hereinafter referred to as 'the Act') published in the Official Gazette dated 25.07.2023.

5. Succinctly, the petitioners are the villagers of Corlim and Bhoma village. As per the Notification dated 18.08.2022, which appeared in the local English newspapers as regards to the publication issued in the Gazette of India dated 02.08.2022 by the Ministry of Road Transport and Highways, in exercise of the powers conferred by sub-section (1) of Section 3A of the said Act) the Central Government, after being satisfied that for the public purpose, the land is required, intended acquisition of land for road widening/ROB in the village of Corlim and Bhoma, Tiswadi, Goa.

6. The petitioners raised objections on 22.08.2022 before the Special Land Acquisition Officer, stating therein that in 2010, when the national highway was being developed in Goa and NH4A was proposed to be widened, the same was proposed to go through Corlim village. At the relevant time, the owners concerned had raised objections and had also sent a legal notice dated 30.09.2016, and in response, dated 03.11.2016, the Executive Engineer, PWD, Works Division XV(NH), informed that the proposal of 2010 for widening of NH-4A was dropped.

Moreover, it was admitted by the Executive Engineer-XV(NH) that the contract for up-gradation and maintenance by the National Highway Authority of India was dropped way back in 1986-87 and was confirmed in 2016. As per the regional plan, the Corlim Village Committee for the Regional plan approved the note signed by the Chief Town Planner/Chief Minister and Secretary, Govt. of Goa, dated 330.09.2011, wherein the National Highway PWD Alignment is showing diversion. The area proposed for widening of the national highway is densely populated and there are huge pipelines along NH4A of essential amenities of High pressure gas, water connecting the capital city of Panaji and underground electricity wires and high tension electricity lines connecting the Corlim Industrial Estate and therefore, the proposal of the Govt. to elevate the Highway with least disturbance is also not a feasible option. In the said stretch 4 Hindu Temples namely Mahadev temple, Sateri Temple, Sati Devasthan temple, tali (pond in front of the temple) which are in existence since time immemorial some dating back to the 13th century and some to the 8th century and old houses depicting Portuguese architecture and residential houses existing over 100 years which is the cultural heritage of Goa will be disturbed and the religious sentiments of the majority will be hurt.

7. The petitioners have suggested an alternate route in the Khazan lands, which are no longer fertile and are lying fallow. A Google image showing the proposed alternate diversion clearly depicts the proposed road that will connect the national highway at Kundai Junction to the Kadamba highway. The entire stretch, being mainly vacant agricultural land, will be easily available at affordable rates without much objection, disruption and disturbing the residents of any village. Construction costs of the alternate highway diversion at ground level would be considerably lower than the presently planned elevated highway of NH-4A. The entire stretch being a straight road will reduce the highway length over 10 kms to 7 kms, resulting in saving of vehicular traffic in terms of time and distance. There will be no wasteful expenditure of public funds caused by shifting/relocation of existing utilities of water pipelines, high-pressure gas pipelines and high-tension electricity wires and an entire stretch of uninterrupted six-lane highway can be constructed in the alternate area suggested by the objectors.

8. The petitioners submit that as per the National Highway guidelines dated 28.12.2017, the government was supposed to prepare a feasibility report before initiation of the process of land

acquisition, and no such feasibility report has been drawn by PWD before notifying the said acquisition.

9. The petitioners state that they were called for a personal hearing. The PWD Engineer has filed a response dated 28.09.2022 and 02.11.2022 to the objections. The petitioners have filed a rejoinder dated 20.10.2022, and by order dated 03.01.2023, the objections of the petitioners have been dismissed.

10. The competent authority rejected the objections and sent a report, pursuant to which respondent no.1 has issued Notification dated 24.07.2023, published in the Official Gazette on 25.07.2023 which is processed without proper application of mind and is arbitrary in nature. Hence, the present petition.

11. The learned counsel for the petitioners has made the following submissions in support of her case.

(i) The learned competent authority has not looked into the grievances and objections of the petitioners from a proper perspective. Moreover, the competent authority failed to appreciate that on earlier occasions the land was notified for acquisition; however, the same was dropped on more than two occasions, and therefore, it is apparent that the said stretch is not

a viable stretch of acquisition for widening of the national highway.

(ii) The petitioners proposed an alternate route, which was also shown in the approved Regional Plan, 2011, as also in the Regional plan 2021, which goes through the fallow fields, is the best option, was economically viable, with no residential houses, no utility services and with enough land for future widening of the highway, but the said proposal was outrightly rejected by the Competent Authority.

(iii) There is no feasibility report drawn by PWD for the acquisition of the land as per the highway guidelines. The learned CALA has only taken into consideration that there is a need to widen the existing highway due to increase of traffic on the roads however, the learned CALA has failed to appreciate that the entire stretch is cluttered with residential houses on both sides of the road including temples along the road side, leaving no scope for any widening or even for construction of proposed elevated highway.

(iv) As per section 3I of the Act, the competent authority was empowered to call for the feasibility report and to conduct an inquiry into the objections raised by the petitioners about the

viability of the bypass proposed by the petitioners. A bare perusal of the order shows complete non-application of mind.

(v) The learned CALA failed to exercise the powers vested in him and arrived at the conclusion on the technical aspects of the utility powers of land and connected issues regarding the viability and execution of the project work and therefore has arbitrarily adjudicated the issues raised by the objectors.

(vi) Respondent no.1, upon receipt of the report from the competent authority and in exercise of powers conferred under Section 3D(1) of the Act, issued a Notification dated 24.07.2023, published in the Official Gazette of India on 25.07.2023, thereby vesting the acquired land in the Central Government. The said Notification was issued after the objections filed by the petitioners were rejected. However, the issuance of the Notification was processed without proper application of mind and is arbitrary.

12. The petitioners have therefore approached this Court for quashing and setting aside the impugned order dated 3.1.2023,

13. Mr D. Pangam, learned Advocate General appearing for respondent nos. 2 and 3, opposed the petition by presenting the following submissions: -

(i) The petition challenges the Order dated 03.01.2023 passed by the Competent Authority under Section 3-C of the National

Highways Act, 1956. By amendment, the Notification dated 24.07.2023 issued under Section 3-D has also been challenged. The petition is being filed by 57 petitioners who have no locus to file the instant petition. Moreover, the petition does not contain any statement as to which land of the petitioners is being acquired. Unless this foundational fact exists, no person can challenge the Notifications or Orders issued under the said Act.

(ii) The petition states that the petitioners have filed objections, the record reveals that only the petitioner no.1 had filed objections. Thus, without having filed any objections, the other petitioners cannot maintain the petition.

(iii) As per Section 3-A of the Act, the Notification in relation to the acquisition was issued on 10.8.2022, the Order under section 3-C (1) of the Act was passed on 03.01.2023, and the Notification under Section 3-D of the Act by which the lands finally vest in the Central Government was issued on 24.07.2023. The petition challenging the Order passed under section 3-C of the Act, on 03.01.2023, was filed almost seven months later, on 31.07.2023. As such, the Order under section 3-C of the Act, having not challenge for an inordinately long period and having allowed the process under the said Act to continue, culminating into the passing of Notification under section 3-D of the Act, the petition

is hit by acquiescence and waiver, and in the alternative, by delay and laches.

(iv) The petitioners have not challenged the Notification dated 10.08.2022 issued under Section 3-A of the said Act. The challenge to the acquisition cannot be maintained without the challenge to the notification under Section 3-A of the Act. The acquisition in question is for the project of widening the existing national highway and construction of elevated roads on the entire highway stretch, except the bridge and its approach portions.

(v) The acquisition in question is for a public purpose for widening the road between 137/000 to km. 139/200 km and 139/500 to km. 142/600; as well as for ROB at Corlim near Km 143/00, on NH4-A (NH-748) in the State of Goa. The national highway 4-A is a 153 km highway which originates at Belgaum and ends at Panaji. The portion of the road within the State of Goa is 69 km, which starts at Anmod (84/00 km), and NH-4A is an important link between NH-4 and NH-17. The alignment of NH-4A within the State of Goa was finalized and approved by the Ministry of Road Transport & Highways, Government of India, pursuant to recommendations made by the Public Works Department of the State of Goa and accordingly notification under Section 3-A of the Act was issued on 10.08.2022 in three local

dailies in three different languages, viz. Konkani, Marathi and English, on 18.08.2022 and 19.08.2022.

(vi) The objections filed by petitioner no.1 were duly considered by giving a hearing wherein he was represented by his Advocate. The competent authority, by a reasoned order dated 03.01.2023, rejected the objections.

(vii) Pursuant to the Order, further steps were initiated by issuing a Notification under Section 3-D of the Act, vesting the land in the Central Government, which was issued on 24.07.2022. The petitioners belatedly filed the petition before this Hon'ble Court on 31.07.2023.

(viii) M/s Aarvee Associates Architects, Engineers Consultants Pvt. Ltd. was appointed as the Technical Consultant for the project to provide consultancy services for a detailed engineering study. The said agency was engaged in the preparation of a feasibility report for the development of the project. The said agency also carried out the EIA study and submitted its Report.

(ix) The contention of the petitioners that the project was earlier dropped in 2016 or 2010 or prior thereto, the said is without merit in regard to the challenge to the land acquisition. The Ministry of Road Transport & Highways was supposed to undertake a highway project through the National Highway Authority of India

(NHAI), and the modalities had been worked out, leading to issuance of Notification and the contract. Thereafter, the Ministry decided to hand over the project to the State Public Works Department. As such, earlier projects did not kick off through NHAI and now, the same is being taken up through the State PWD.

(x) The contention as regards the Regional Plan is meritless. The Regional Plan very much shows the expansion/widening of the National Highway along the same alignment. It is pertinent to note that this alignment proposed by the Bhoma Village Committee, which is also referred to by the petitioners, passes through the No Development Zone and Ecologically Sensitive Area (Eco-I and Eco-II) and also through Natural Cover. The resolutions of Gram Sabha are not binding and cannot determine or control the actions that the Government may take, in the larger public interest. The Ministry of Road Transport and Highways has approved the alignment along the existing national highway itself.

(xi) During the construction of Banastarim Bridge, land from Muslimwada Bhoma to Deccan Chemical Corlim was acquired for a width of 30.00 mts. to 60.00 mts. in the year 1986-87. The land upto Bhoma Village, has also been acquired and is in possession of the Department for a couple of decades and the part of the NH-4A

beyond Old Goa is already upgraded to four lanes (Ribandar bypass). This is the only stretch from Bhoma to Muslimwada & Deccan Chemicals to Old Goa which has remained to be acquired along with an additional area for Banastarim Bridge & its approaches, which is in the same alignment, and it is therefore, in this area that problems are faced being a bottleneck and a narrow road. The present route is therefore the most suitable alignment with minimum length of the highway, minimum displacement, minimum cost and most importantly, minimum damage to the environment and ecology.

(xii) The land has already been vested in the Central Government, and the process is at an advanced stage; therefore, any interference at its concluding stages will be against public interest. Hence, the petition filed by the petitioners is devoid of any substance and merit.

14. Having heard the learned counsels appearing for the parties and after bestowing our considered attention to rival contentions raised, we deal with the same as follows.

15. The Central Government has enacted the National Highways Act, 1956, to achieve and cater to the needs of increased movement of traffic on account of increased developments and also on account of certain Highways passing through various

States to cater to the connectivity through the construction of Roads.

16. Section 3-A of the Act enables the Central Government to declare its intention to acquire such land if it is satisfied that, for a public purpose, the same is required and a Notification giving a brief description of the lands to be acquired in the Official Gazette declaring its intention to acquire such land will be issued. Any person who has objections could file the same before the Competent Authority. The Competent Authority, in terms of section 3-C of the Act, has to deal the objections. After following the due process as contemplated in sub-section (1) of Section 3-A of the Act, and accordingly Notification under section 3-D is published where the land vests absolutely with the Central Government. In the case at hand the procedure has been followed scrupulously.

17. As regards the objections raised by petitioner no.1, the same have been dealt with by respondent no. 5 by its informed order dated 03.01.2023. The issues raised regarding the alternative route, no planning and survey conducted, buildings and structures located on the land proposed to be acquired would be lost, such objections are alien to the acquisition proceedings under section 3-A. The objection referred to under section 3-C (1) of the Act is

confined only to the utility of the lands for a purpose other than those under sub-section 3-A(1).

18. In case of widening of existing highways, there is no requirement of preparation of a feasibility report as referred to by the petitioners. Moreover, the Act does not refer to any feasibility report. The feasibility report referred to in the guidelines on which the petitioners are harping does not have a binding effect. However, in any case, the respondent Government has already conducted a study by appointing a consultant having knowledge and expertise in the field of Highway development, and the feasibility report has been prepared keeping in view the relative factors including intensity of heavy vehicular traffic and public interest, after which the acquisition has been undertaken.

19. The project in question is extremely important in public interest. The original national highways are connecting links between different States in the country. Such highways need to be of a high standard, not only to deal with the existing traffic, but also to have an eye on future requirements. Due focus should also be on safety measures, including situations which may relate to disaster management and emergencies, to enable seamless movement of traffic. When it comes to national highways, the national interest and public interest are paramount, and the same

cannot be dictated by the demands or objections of some individuals, who are invariably based on the 'not in my backyard' attitude. The acquisition law provides a balance in as much as the land losers are also taken care of by providing them with compensation. The larger public interest, which benefits from widening of highways, which solves the problems of traffic jams and congestion on roads, which affects the safety of people and also increases the travel time as well as extra usage of fuel and natural resources, needs to be at the forefront.

20. The project has been taken up precisely to deal with the problems that are faced on account of narrow highways and bottlenecks and to ensure that the national highway is improved by widening the roads and upgrading the same to four lanes, as also by providing elevated roads in the entire stretch, except bridge and its approaches. This will not only benefit the public which will use the roads, but more importantly, will also ease the strain and problems which may be faced by the residents on account of traffic jams and other issues, which sometimes result in accidents and prevent smooth and quick mobility of the traffic.

21. The project is not one where an altogether new highway is being constructed. The national highway has existed for decades. The respondents are improving the said highway by upgrading the

same to four lanes by providing elevated roads in the entire stretch, except the bridge and its approaches. The project is being taken up after considering all the relevant aspects. The alignment has also been designed and finalized by engineers and experts in the field. Due care is also taken to avoid any damage to the property and structures.

22. In the facts and circumstances as deliberated above, the scope of interference with the order dated 03.01.2023 and the Notification issued under section 3-D of the Act is unwarranted as the petitioners failed to demonstrate that the project undertaken by the respondents is contrary to the mandate of the Act. The land has been already vested in the Central Government and the process is at an advanced stage and therefore any interference at this stage will derail the process which is already in its concluding stages and the same will be detrimental to all interest of public at large. The petition filed by the petitioners is devoid of any substance and merits.

23. Writ Petition is dismissed.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.