

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.18797 OF 2024

Pandurang Krishnarao Chavan & .. Petitioners
Ors.

Versus

State of Maharashtra through its .. Respondents
Secretary Public Works Dept. & Ors.

...

Mr.S.S.Patwardhan i/b Mrinal Shelar for the Petitioner.

Mrs.S.D.Vyas, Addl.G.P. with Mr.Tejas J. Kapre, A.G.P. for the
State/Respondent Nos.1 and 2.

Mr.Akshay Zantye for the Respondent No.3.

CORAM: ALOK ARADHE, C.J. &
BHARATI DANGRE, J.
DATED : 03rd FEBRUARY, 2025

...

P.C:-

1. In this Writ Petition, the Petitioners, *inter alia*, has assailed the validity of the action of the Respondents to construct a Rail Overbridge at Gate No.96 on the Maharashtra State Highway No.142 instead of an Underpass.

2. Learned counsel for the Petitioners submitted that despite demand being made by the Petitioners, the reasons for changing the decision to construct the Rail Overbridge instead of an underpass is not furnished to the Petitioners.

3. Issue notice to the Respondents, making the same returnable on 03/03/2025.

4. Mrs.S.D.Vyas, learned Addl. Govt. Pleader, waives service of notice on behalf of Respondent Nos.1 and 2, who prays for and is granted three weeks' time to file a short affidavit, justifying the decision taken to construct Rail Overbridge instead of an underpass.

Learned counsel Mr.Akshay Zantye waives service of notice on behalf of Respondent No.3.

5. In addition, liberty is granted to the Petitioners to serve the notice upon the Standing Counsel, representing Respondent No.4-Union of India.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)