



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 1381 OF 2025
in
MISC. CIVIL APPLICATION ST. NO. 20099 OF 2025
in
WRIT PETITION NO. 5386 OF 2023 (D)

[Airports Authority of India and anr. **vs.** Hagwood Commercial Developers Pvt. Ltd. and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Deoul Pathak, Advocate for the applicant/appellant no. 1
Mr. S. P. Bodalkar, Advocate for non-applicant no. 1

CORAM: ANIL L. PANSARE AND
M. M. NERLIKAR, JJ.

DATED : 02-04-2026.

Heard learned counsel for the applicant and the
learned counsel for non-applicant no. 1.

It appears that the non-applicant no. 1 is the only
contesting party. The application is for condonation of delay.

For the reasons set out in the application, the
application is allowed. Delay of 28 days in filing the review
application is condoned.

MISC. CIVIL APPLICATION ST. NO. 20099 OF 2025

Learned counsel for the applicant submits that the
structure itself was illegal and, therefore, no survey is
permissible. Only on this ground, the review is sought.

In paragraph nos. 21 and 22 of the judgment dated
8-7-2025, the said issue has already been considered in the
following manner.

“21. As such, we take it that the structure constructed by the petitioner in such eventuality can be termed to be a structure which was constructed without no objection certificate. Hence, for the purpose of deciding the issue sought to be canvased, it is not relevant in our opinion to consider the status of the structure of the petitioner.

22. As such, in case, if existence of certain structures for which even if NOC is cancelled or even if the structures are illegal or irregular that by itself will not lead to drawing a conclusion from GSR 751 (E) that the Aeronautical Study or CNS Simulation Study cannot be ordered to be conducted. We hardly see any statutory embargo to that effect.”

Considering the above facts and circumstances, there is no apparent error on the face of record and, therefore, there is no merit in the application. The application is accordingly dismissed.

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)

wasnik