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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6565 OF 2015

Panvel Indapur Mahamarg Sangharsha
Samiti

... Petitioner

Versus

The Union of India and Ors. ... Respondents

None for the petitioner.

Mr. Mohamedali Chanawalla and Mr. Arun Kumar Roy for the respondent no. 1.

Mr. Rakesh Singh I/by M/s. M.V. Mini & Co. for the respondent no. 2.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.
DATED : 30th OCTOBER, 2015**

P.C. :-

1. None for the petitioner. The counsel for the respondents are present. Prayer clause (a) of the petition reads thus :

“(a) This Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, direction or order directing the respondents to cancell the said Vehicle Under Pass (VUP) at the Change No. 5 (Shirdhon pada-Chinchwan) nearly 1 km. North Side on Panvel-Goa Highway from Shirdhon village, Taluka Panvel, District Raigad and instead that to give the Highway Median cut on the ground at the said km. Change no. 5 at N.H. 17, village Shirdhon.”

2. In the writ jurisdiction under Article 226 of the

Constitution of India, Writ Court cannot decide in what manner the Authorities should construct the Vehicle Under Pass (VUP) on Goa National Highway. It is for the Experts appointed by the competent authority to decide the said issue. Hence, no interference is called for under the writ jurisdiction. Petition is rejected.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)