

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 723 OF 2016

Sukhakarta SRA Co-op. Housing Society Ltd. .. Petitioner
Vs.
State of Maharashtra & Ors. .. Respondents

Mr. M. S. Surana for the Petitioner.
Mr. A. U. Patil for Respondent Nos.5, 6 & 7.
Mr. P. M. Shah for Respondent No.9.
Mr. U. S. Upadhyay, AGP for the Respondent-State.

CORAM : R. M. SAVANT & A. S. GADKARI, JJ.
DATE : 6th JUNE, 2017.

P. C. :

1. The learned counsel for the petitioner Mr. Surana states that in spite of the order dated 19.01.2017 the structures are existing on site and are in occupation. By the said order dated 19.01.2017 a specific direction was issued to the authorities to demolish the structures by seeking police aid and it has been made clear in the said order that if the direction is not carried out then this Court would be constrained to take action against the authorities including the police. The aforesaid facts have been stated in the additional affidavit filed in support of the petition. The learned AGP, Mr. Upadhye therefore to take instructions in the light of the statements made in the said additional affidavit of the petitioner and advise the authorities exercising powers under the Slum Act as well as the police to carry out the directions as contained in the said order dated

19.01.2017 and file an affidavit to the said effect in this court on the next date. It is made clear that in the event we find that the said order dated 19.01.2017 has not been complied with or there is reluctance on the part of the authorities to comply with the said order, this Court would be constrained to implement the direction as contained in the final part of the said order dated 19.01.2017.

2. The petition is adjourned to 20.06.2017.

[A. S. GADKARI, J.]

[R. M. SAVANT, J.]