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

WRIT PETITION NO. 1942 OF 2023

Prince Housing And Hospitality Pvt. Ltd.

... Petitioner

Versus

Municipal Corporation of Greater Mumbai
and Ors.

... Respondents

Ms. Tanaya Patankar a/w Mr. Aditya Kanchan and Mr. Kartik Tiwari i/b
Lakshyavedi Legal for the Petitioner.

Mr. G.S. Godbole, Senior Advocate a/w Ms. Anjali Ghuge for Respondent
Nos. 1 - BMC.

Dr. Milind Sathe, Advocate General a/w Ms. Vrushali Kabre, AGP for
Respondent – State.

CORAM : M. S. KARNIK AND

S. M. MODAK, JJ.

DATED : 16th JUNE, 2026.

PC. :

1. Mr. Godbole, Learned Senior Advocate appearing for
Corporation on instructions submitted that the demolition has been carried
out. We therefore find that the purpose for which the Petition was filed
has been served.

2. Dr. Sathe, Learned Advocate General has placed on record a
copy of the instructions issued by Police Commissioner, Mumbai Municipal
Corporation directing all Beat Marshals to keep an eye on the pavements in



the area of their beat and if any encroachment is noted, information be immediately given for police assistance so that the encroachee is not able to re-erect the temporary structures. The Police Commissioner has issued Office Order dated 24th June, 2026 in which Paragraph No.4 of the order dated 3rd May, 2019 passed by this Court has been reproduced. The same reads thus:-

4. The only solution to the problem is to make S.H.O. of the concerned police station within the jurisdiction where the road is situated to ensure that once the footpaths are cleared of the temporary structures by demolishing the same, no temporary structures is re-erected. We are given to understand that the police department has Beat Marshals who are provided with motorcycles and tasked with duty to inform the police control room if any violation of law is noted and police intervention required immediately.

3. Further directions have been issued to ensure that the encroachments do not come up again. Learned Advocate General has submitted that every endeavour is being made to ensure compliance of the instructions of the Police Commissioner and assures that the police authorities are co-operating with the Corporation in the drive against illegal encroachments. Recording such assurance the Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)