

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

PUBLIC INTEREST LITIGATION NO. 49 OF 2016

Ruia Park Co-operative Housing Society
Limited and another.

... Petitioners.

V/s.

Municipal Corporation of Greater Mumbai
and others.

... Respondents.

Rajiv Narula i/b. Jhangiani Narula & Asso. for the petitioners.
Mrs.Shobha Ajithkumar for the Corporation.
Abhay Patki, Addl.GP for the State.

**CORAM : DR.MANJULA CHELLUR, C.J.
AND G.S.KULKARNI , J.**

DATE : 24th February 2017.

P.C. :

According to the petitioners, though the Corporation has placed on record that action is taken by them by removing the unauthorized establishments of commercial activities on the road in question, however, illegal permanent constructions were not touched. On the other hand, the temporary structures, which were removed, were left at the site itself allowing the encroachers to reestablish the same either on the same night or on the next day.

2. In the light of the above submissions, we direct the respondent- Corporation to place on record what course of action, as permanent solution, would be taken by them so as to remove these encroachments permanently. State Government is also directed to file on record its affidavit-in-reply explaining the same.

Stand over to 24th March 2017.

(G.S.KULKARNI, J.)

CHIEF JUSTICE