

ITEM NO.28

COURT NO.11

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).13576-13583/2011

(From the judgement and order dated 26/04/2011 in WP No. 2/2010 & WP No. 4/2010 & WP No. 10/2010 & WP No. 556/2011 & WP No. 557/2011 & WP No. 558/2011 & WP No. 3022/2010 & WP No. 3023/2010 of the HIGH COURT OF BOMBAY)

SACHINDRA UMANATH KOTIAN ETC.ETC.

Petitioner(s)

VERSUS

MUNICIPAL CORP., GREATER MUMBAI & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief and office report)

Date: 13/05/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Shekhar Naphade, Sr.Adv.
 Mr. Vinay Navare, Adv.
 Mr. Aniruddha Joshi, Adv.
 Mr. Trigoon Patwardhan, Adv.
 Mr. Keshav Ranjan, Adv.
 Ms. Abha R. Sharma, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against order dated 26.4.2011 passed by a Division Bench of the Bombay High Court whereby the writ petition filed by the petitioners against the order of their eviction was dismissed.

We have heard Shri Shekhar Naphade, learned senior

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counsel appearing for the petitioners at some length and

perused the record. In our view, the impugned order

does not suffer from any legal infirmity warranting interference under Article 136 of the Constitution.

The special leave petitions are, accordingly, dismissed.

However, the oral request made by the learned

senior counsel for grant of time to the petitioners to vacate the disputed site is accepted and the petitioners are granted time till 30th November, 2011 to vacate the premises and hand over possession thereof to the concerned municipal authorities. This shall be subject to the filing of usual undertaking before this Court within a period of four weeks from today. During the intervening period, the petitioners shall not induct any person in the premises in any capacity whatsoever or change its present character.

(N. Annapurna)
AR-cum-PS

(Phoolan Wati Arora)
Court Master