

PUBLIC INTEREST LITIGATION No. 132 OF 2016

Mr. Sayyed Yusuf Afroz	...	Petitioner
Vs.		
State of Maharashtra & Ors.	...	Respondents

Mr. C. P. Yadav, AGP for the Respondents.

CORAM : V. M. KANADE, &
M. S. SONAK, JJ.

DATE : AUGUST 4, 2016

PC.

1. The Petitioner has filed this PIL, seeking following reliefs:

“(a) that this Hon'ble Court be pleased to pass appropriate writ, order, direction, directing to appoint CBI to conduct investigation in respect of the fund raised by the state government for the development of City Mumbai since it is declared as a City to M.P, MLA and corporators, on such terms and conditions as this Hon'ble Court may deem fit and proper.

- (b) that this Hon'ble Court be pleased to pass appropriate writ, order, direction, directing the officer of the respondent no. 2 to take possession of all the reserve plot which is reserved for construction of school, hospital and market by way of demolishing all the illegal structure which is standing on reserve plot of corporation and state government, on such terms and conditions as this Hon'ble Court may deem fit and proper.
- (c) that this Hon'ble Court be pleased to pass appropriate writ, order, direction, directing the respondent no. 3 to construct school, hospital and market as per Town Planning Authority, on such terms and condition as this Hon'ble Court may deem fit and proper.
- (d) that this Hon'ble Court be pleased to pass appropriate writ, order, direction, directing that the entire investigation shall be done under the supervision of Ex-Justice or this Hon'ble Court, on such terms and condition as this Hon'ble Court may deem fit and proper.
- (e) that this Hon'ble Court be pleased to pass appropriate writ, order, direction, directing the respondent no. 2 not preventing his officer to take

any coercive steps in respect of demolition of temporary market which is occupied by hawkers / vendor of both side of the road till the pending the hearing and final disposal of present Public Interest Litigation.

- (f) Interim and ad-interim in terms of prayer clause (c).
- (g) And for such other and further reliefs as this Hon'ble Court may deem fit and proper.”

2 In our view, such reliefs cannot be granted while exercising our jurisdiction under Article 226 of the Constitution of India. We therefore decline to entertain this writ petition as PIL. PIL is therefore dismissed.

Sd/-
[M. S. SONAK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath