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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.209 OF 2015

Dr.Ashok Madhavdas Parwani ...Petitioner
vs.
Ulhasnagar Municipal Corporation ...Respondent

Mr.J.S.Chandnani for the Petitioner
Mr.S.M.Kamble for the respondent Nos.1 to 3.
Ms M.P.Thakur, AGP for respondent Nos.4 and 5.

CORAM : A.S.OKA, &
 C.V.BHADANG, JJ.
DATE : JANUARY 11, 2016

P.C.:

1 The petitioner claims to have filed this petition in public interest challenging the demolition drive commenced by the Ulhasnagar Municipal Corporation for the purposes of widening the Kalyan Ambernath road.

2 The contention of the learned counsel for the petitioner is that though the demolition is illegally carried out by the Municipal Corporation, due to terror created by the Municipal Officers, certain shopkeepers did not challenge the action of demolition.

3 Apart from the issue whether the petition is really filed in the public interest, we find from the representation dated 21st December 2015 that the petitioner has not even stated the names of the

shopkeepers whose shops were illegally demolished and who could not approach the Court of law due to alleged terror or any other reason.

4 The learned counsel for the Ulhasnagar Municipal Corporation has placed on record the order dated 16th December 2015 in Writ Petition No.12090 of 2015. The said order records the statement made by the learned counsel representing the Ulhasnagar Municipal Corporation that the persons whose structures have been demolished for widening of the Kalyan Ambernath Road will be rehabilitated in terms of the Resolution No.60 dated 11th December 2015 passed by the Ulhasnagar Municipal Corporation. Moreover, in the said order, a statement of the learned counsel for the Ulhasnagar Municipal Corporation has been recorded that no structures which are subject matter of the concerned petitions before this Court will be demolished without following due process of law.

5 Therefore, no case is made out for entertaining this PIL. Accordingly, PIL is disposed of.

(C.V.BHADANG,J.)

(A.S.OKA,J.)