

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

**PUBLIC INTEREST LITIGATION NO. 36 OF 2014
WITH
NOTICE OF MOTION NO. 556 OF 2015
IN
PIL NO. 36 OF 2014**

Joshi Shivshankar Jatashankar ... Petitioner.

V/s.

The Commissioner, Mumbai Municipal
Corporation Bldg. & 33 Others. ... Respondents.

None for the Petitioner.

Ms. Trupti Puranik for the BMC.

Mr. Parshuram Barge, Advocate for Respondent No. 7, 8, 10,
11, 12, 15, 16, 19, 21, 24, 27, 29, 30 & 31.

Mr. Milind More, AGP for the State.

**CORAM : V. M. KANADE AND
MRS.SWAPNA JOSHI,JJ.**

DATE : 29th SEPTEMBER, 2016

P.C. :

1 None appears on behalf of the Petitioner. We are informed that even on the last date neither the Petitioner nor his counsel was present when the matter was called out.

2 It was the grievance of the Petitioner that the Respondents have unauthorizedly constructed certain

structures. The Petitioner by this PIL is seeking demolition of those structures constructed by the illegal hawkers, who do not have any permission to carry out hawking. Learned counsel appearing on behalf of the Corporation has invited our attention to letter dated 06.11.2013 written by the Assistant Commissioner, N-Ward wherein it is noted that after the order dated 09.09.2013 passed by the Apex Court, the Corporation has taken action and has removed the unauthorized structures of the hawkers. Plain reading of this letter does indicate that action is taken against hawkers and the structures have been demolished, as mentioned in the said letter.

3 In view of this letter, it is obvious that nothing survives in this petition and, therefore, the petitioner is not keen in pursuing this PIL. The PIL is, therefore, disposed of.

4 In view of the disposal of the PIL, Notice of Motion No. 556 of 2015 does not survive and the same is also disposed of accordingly.

(MRS.SWAPNA JOSHI,J.)

(V. M. KANADE,J.)

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