

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3555 OF 2017

Shivleshwar Mahadev Mandir ... Petitioner
V/s.
Municipal Corporation
of Greater Mumbai & Anr. ... Respondents

Mr.Dipesh Siroya i/b. Mr.Nitesh Sangle for the Petitioner.
Mr.Pradeep M. Patil a/w. Officer of BMC Smt.S.E.Ubhare for
Respondent Nos.1 and 2.
Ms.R.A. Salunkhe, AGP for the State.

**CORAM : NARESH H. PATIL &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 29th MARCH, 2017.

P.C. :

1] The Petition was moved for urgent relief seeking protection to the religious structure. The Counsel appearing for the Corporation, on written instructions, submits that on 7th March, 2017, subject structure was demolished. The demolition report was also submitted by the officer of the Corporation.

2] The Counsel appearing for the Petitioner submits that the Petitioner instructed him that the demolition is scheduled to take place tomorrow. Today, the Counsel appearing for the Corporation,

on instructions of the officer of the Corporation, who is present in Court, submits that on 7th March, 2017, subject structure was demolished but the Petitioner is making attempt to continue with the religious activities. In accordance with the order passed by this Court in Public Interest Litigation No.104 of 2010 and the consequent Government Resolution dated 5th May, 2011, the Corporation is duty bound to take appropriate steps in accordance with law. In view of the statement of the Counsel for Corporation no interference is warranted. The petition is dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[NARESH H. PATIL, J.]