

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

PUBLIC INTEREST LITIGATION NO. 37 OF 2010

Janhit Manch and Others

..Petitioners

v/s.

Brihanmumbai Municipal Corporation
and Others.

..Respondents

Mr.Bhagwanji Rayani, -Petitioner-in-person.

Ms. Manali Kaprekar i/b/ Mr. A.M.Kulkarni appointed as Amicus Curie.

Mr. A.Y.Sakhare, Sr. Counsel a/w. Ms. Geeta Joglekar for the Respondent Nos. 1 and 2.

Ms. Geeta Shashtra Addl. G.P. For the Respondent Nos. 3 to 5.

Mrt. V.P. Sawant a/w. Ms. Tanaya Patankat a/w. Mr. P.M.Jadhav for Respondent Shiv Sena.

**CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 16TH FEBRUARY, 2017**

Operative Order.

For reasons separately recorded, the petition is disposed of by passing following order:-

- (a) This petition will be governed by the Judgment and Order dated 31st January, 2017 passed in Public Interest Litigation

No.155 of 2011 and other connected matters. In addition to the directions contained in the said Judgment and Order, we direct that while granting permission for erecting or displaying the sky-signs or advertisements, the Municipal Corporation shall incorporate a condition of prominently displaying permission number and its duration on the sky-signs and advertisements. A condition shall also be incorporated of displaying the name of the permission holder and his contact number, as well as the name of the printer. These directions will be in addition to clause “(o)” of paragraph 59 of the aforesaid judgment. We direct the State Government to issue necessary directions to all the Municipal Corporations, Municipal Councils and all the Planning Authorities in the State to comply with these directions. Needless to add that sky-signs and advertisements which do not bear all these details displayed prominently shall be immediately removed by the Municipal or the State Government Authorities;

(b) We direct the Mumbai Municipal Corporation to immediately take steps for examining the sky-signs and

advertisements displayed by various political parties and candidates for the Municipal elections to be held on 21st February, 2017 and to ensure that all the sky-signs and advertisements which do not contain the particulars such as permission number and/or duration of permission are forthwith removed and pulled down. The Mumbai Municipal Corporation shall ensure that criminal law is set in motion against the persons indulging in these illegalities both under the Mumbai Municipal Corporation Act, 1888 as well as under the provisions of the Maharashtra Prevention of Defacement of Property Act, 1995 by approaching the concerned police stations;

(c) Steps shall be immediately initiated by the Municipal Corporation to ensure that before the election is held on 21st February, 2017, all such illegal sky-signs and advertisements are removed;

(d) The learned Counsel appearing for the Mumbai Municipal Corporation is present. We direct the learned Counsel to communicate this Order immediately to the Municipal

Commissioner, so that he can issue necessary directions.

(e) Petition is disposed of in above terms.

(f) This disposed of petition shall be listed along with Public Interest Litigation No.155 of 2011 on 3rd May, 2017 for reporting compliance. All pending contempt petitions shall also be listed on that date.

(g) In view of disposal of this petition, the pending Notice of Motion does not survive and the same is also disposed of.

(h) All concerned to act on the authenticated copy of the operative part of this Judgment and Order.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)