

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1399 OF 2016**

The Bhartiya Friends Co-op Hsg Soc Ltd & Anr

..Petitioners

Vs.

Union of India & Ors

..Respondents

Mr. R. A. Thorat Senior Advocate a/w Mr. Kunal Patel i/b M/s. S. K. Srivastav & Co. for the Petitioners

Mr. Dushyant Kumar for the Respondent Nos.1 and 2

Mr. M. K. Mehta the Respondent No.3 in person

**CORAM : R. M. SAVANT, &
A. S. GADKARI, JJ**

DATE : 7th JUNE, 2017

P.C.

1 The above Writ Petition has been filed for a declaration that the guidelines framed by the Government of India, Ministry of Tourism (H & R) Division under the “Incredible India Bed and Breakfast / Home Stay Establishment” scheme is illegal to the extent that it does not provide for first obtaining consent and/or no objection from the society wherein the said flat / establishment is situated. The Respondent No.3 who has made his flat available under the said scheme has tendered an affidavit wherein in paragraph 2 it has been stated to the following effect :

I say that I have been regularly filing relevant information pertaining to my paying guests with the local police and the Petitioners Society by way of a copy of their Passport and Visa in respect of Foreigner Guests and a proper Identity Proof in respect of Indian Guests at the time of their coming to stay at my place, for quite some time. I

say and undertake that I will continue to file the same information in respect of all my guests with the Petitioners Society in future also.

2 In our view, the assurance given in the aforesaid paragraph 2 would assuage any apprehension that the Petitioner No.1 society may have on account of the flat in question being made available under the said scheme. In view of the said affidavit, it is now not necessary to entertain the above Petition. The Petition to accordingly stand disposed of.

[A. S. GADKARI, J]

[R.M.SAVANT, J]