

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

NOTICE OF MOTION NO. 297 OF 2016
IN
WRIT PETITION NO. 2454 OF 2001

The State of Maharashtra	}	Applicant
in the matter of		
Bhrashtachar Nirmoolan	}	
Sanghatana and Anr.	}	Petitioners
versus		
The State of Maharashtra	}	
and Anr.	}	Respondents

Mr. H. N. Venegaonkar-Additional
Government Pleader for the applicant.

Ms. Shakuntala Joshi i/b. Mr. Anand
Poojari for the petitioners.

Mr. S. P. Dalal i/b. M/s. Dalal and Co. for
respondent no. 2.

CORAM :- DR. MANJULA CHELLUR, C.J. &
N.M.JAMDAR, J.

DATE :- JULY 26, 2017

P.C. :-

1. Heard the Government advocate as well as the advocate
representing the petitioners.

2. The State Government is before us in this motion seeking
intervention of the court for modifying the status quo order for a
limited purpose. Apparently, the writ petition came to be filed

challenging the allotment of the land in question in favour of the party-respondent. This court passed the status quo order on 18th September, 2002. By virtue of this status-quo order, if the Mumbai Metro Rail Corporation Limited or the State make use of the land in question, they apprehend that it may amount to contempt of court. Therefore, they are before us seeking the modification.

3. Since the State is satisfied, after conducting a survey to locate suitable space for stacking the construction material, etc. with regard to Metro-III construction, that they have found the area in question or the subject matter of the writ petition as suitable and viable for stacking the construction material, the status quo order dated 18th September, 2002 is modified to the extent that the said area shall be used by the State Government only for the purpose of stacking the material ancillary to the metro rail construction and nothing beyond that.

4. Accordingly, the notice of motion is disposed of.

(N. M. JAMDAR, J.)

(CHIEF JUSTICE)