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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION (L) NO.109 OF 2017
WITH
CHAMBER SUMMONS (L) No.443 OF 2017**

Shri Mohammed Arif (Alias) Naseem Khan & Ors. ... Petitioners
Vs.
The State of Maharashtra and Ors. ... Respondents

Mr. R.D. Soni a/w Mr. Bipin J. Joshi for the Petitioners.
Mr. A.Y. Sakhare, Senior Counsel a/w Mr. Joel Carlos for the Respondents.

**CORAM : A.S. OKA &
A.K. MENON, JJ.**

DATE : 4th DECEMBER, 2017

PC.

1 The learned counsel appearing for the petitioners invited our attention to paragraph 11 of the order dated 23rd November, 2017. He submitted that the persons who are directly affected by demolition of structures around Tansa Pipeline desire to file appropriate proceedings in accordance with law and therefore, the petitioners do not want to press this Petition.

2 This Court has already expressed a prima facie view that this PIL cannot be entertained at the instance of the petitioners as the

affected persons will have to file appropriate proceedings. In view of the said prima facie finding recorded and in view of the request made by the learned counsel appearing for the petitioners, we dispose of this PIL. Disposal of this PIL will not prevent the affected persons from filing appropriate proceedings in accordance with law making a grievance as regards demolition. All contentions of parties in that regard are kept open. Pending Chamber Summons does not survive and the same is disposed of.

(A.K. MENON, J)

(A.S. OKA, J)