

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 388 OF 2016

Smt. Urmilla Prakash Thakur ... Petitioner

Versus

The Municipal Commissioner and others ... Respondents

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Mr. B.P. Shukla for the Petitioner.

Mr. Mayuresh Lagu for Respondent Nos.1 and 2.

Mrs. A.A. Purav, AGP for Respondent-State.

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**CORAM: S.J. KATHAWALLA AND
B.P. COLABAWALLA, JJ.**

DATED : DECEMBER 17, 2019.

P.C. :-

The above Contempt Petition is filed by the Petitioner alleging that the Respondent-Corporation is not demolishing the twelve structures, more particularly, described in paragraph 3 of the Affidavit-in-Reply filed by the Corporation. The Corporation has in its reply pointed out that the structures described in clauses (i), (ii) and (xi) of paragraph 3 were demolished on 16th November, 2017 and the structures described in clauses (v), (vi), (vii), (ix), (x) and (xii) of paragraph 3, are directed to be demolished within a period of two weeks by the Commissioner and the same will be so demolished. As regards, the structures described in clauses (iii), (iv) and (viii) of paragraph 3, there are Court orders directing the Corporation to maintain status-quo.

The Learned Advocate appearing for the Petitioner disputes the fact that there are any orders in force directing the Corporation to maintain status-quo. In view thereof, the Corporation shall once again verify whether there are any orders of status-quo currently in force as regards the properties described in clauses (iii), (iv) and (viii) of paragraph 3 and if upon verification it is found that there is no order of status-quo in operation as on date, the same shall be demolished forthwith. The statement of the Corporation that they shall demolish the structures described in clauses (v), (vi), (vii), (x) and (xii) of paragraph 3 within a period of two weeks from today is accepted as an undertaking given to the Court. As regards all the allegations of the Petitioner that some of the structures were demolished has been reconstructed, the Corporation shall look into the said allegations and shall take action in accordance with law. The above Contempt Petition is accordingly disposed off.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)