

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 27 OF 2019

Dharmarajya Paksha. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents

Ms.Karishma Rao for the Petitioner.
Ms.Nisha Mehra, AGP for the State.
Mr.N.R.Bubna for Respondent No.3.

CORAM : PRADEEP NANDRAJOG, C.J.
AND NITIN JAMDAR, J.

DATE : 31 July 2019.

P.C. :

1. The public interest litigation has been filed on the basis of newspaper report that the Regional Mental Hospital at Thane was proposed to be closed and the apprehension of the petitioner is that prime land would be used for commercial gains. Learned AGP of Respondent No.1, who appears on advance copy of the petition being served on the State, states that nothing of the kind is under contemplation.

2. Learned counsel also points out that two public interest petitions concerning the Mental Hospital are already pending before this Court which have been admitted. One of them is Public Interest

Litigation No.11/2010 and the other is Public Interest Litigation No.134/2007. Interim orders have already been passed in the said public interest litigations prohibiting the respondents from allotting lands of the Mental Hospital to any third party.

3. Thus, we see no reason to pass any order in the instant public interest litigation for the reason two public interest litigations on the subject are already pending for disposal. Apprehension of the counsel for the petitioner that the petitioners in the other two public interests litigations may not pursue the same is noted and dealt with by recording that if the said petitioners do not pursue the said public interest litigations, the petitioner would be free to move an application and pray that the petitioner may be permitted to pursue the same.

NITIN JAMDAR, J.

CHIEF JUSTICE