

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO. 27 OF 2018**

Mohammed Furqan Mohammed Ali
Qureshi .. Petitioner
Vs.
The Municipal Commissioner
Gr. Mumbai and Others .. Respondents

**WITH
PUBLIC INTEREST LITIGATION (L) .NO. 73 OF 2018**

Tulsidas Nair .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

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Mr. Nawaz Haindaday i/b Arshad Haindaday for Petitioner in
PIL No. 27 of 2018

Mr. Tulsidas Nair petitioner in person in PIL (L) No. 73 of
2018

Mr. Musharaf Shaikh i/b Kiran Bhagalia for Respondent No.6 –
MMRDA in PIL (L) No. 73 of 2018

Mr. Prabhakar Jadhav i/b V.P. Sawant for Respondent No. 6 in
PIL No. 27 of 2018

Mr. Vijay Patil for Respondent No. 5 in both PIL

Mr. Hiten Venegaonkar Addl.G.P. for Respondent No. 7, 8,
and 10 in PIL 27 of 2018

Mr. Kedar Dighe AGP for Respondent Nos. 1, 2, 4 and 9 in
PIL (L) No. 73 of 2018

Ms. Dhruvi Kapadia for Respondent Nos. 1 to 3 in PIL No. 27
of 2018 and Respondent No.3- MCGM in PIL (L) No. 73 of
2018

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**CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.**

DATED : APRIL 12, 2019

P.C.:

1. Two captioned Public Interest Petitions filed in public interest espouse the same public cause. Three reliefs sought for in the two petitions are identical. The first prayer is to reserve 8.44 Hecter land at Bandra (West), A Block, bearing CTS No. S-792 as an open space and public facilities / amenities in view of the fact that it was so declared in the Development Plan of 1979 prepared by MMRDA for Greater Mumbai. Second prayer is to set aside the action of the State to transfer the said land to MMRDA and MSRDC. The third prayer is to restrain the respondents from using the land for any purpose except for the open space or that public facilities / amenities.

2. Since pleadings have been completed in Public Interest Petition (L) No. 73 of 2018, we terminate the proceedings in Public Interest Petition No. 27 of 2018; permitting the petitioners to intervene through counsel and

render assistance in Public Interest Petition (L) No. 73 of 2018.

3. Copy of the counter affidavit filed in Public Interest Petition (L) No. 73 of 2018 shall be supplied to the learned counsel for the petitioner in Public Interest Petition No. 27 of 2018.

4. Public Interest Petition (L) No. 73 of 2018 be listed for consideration on 20 June 2019.

N.M.JAMDAR, J.

CHIEF JUSTICE