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

WRIT PETITION NO.1724 OF 2017

Shri Shivaji Arjun Kadam

... Petitioner

Vs.

The Chief Executive Officer,
Maharashtra Housing and Area
Development Authority and Ors.

... Respondents

Mr. Kishor S. Patil for the Petitioner.

Mr. P.G. Lad for the Respondent Nos.1 to 3.

Mr. Hemant Haryan, AGP for the Respondent – State.

CORAM : A.S.OKA AND
 M.S. SANKLECHA, JJ.

DATE : 19th MARCH 2019.

P.C. :

1 The only grievance made in this petition under Article 226 of the Constitution of India is that the respondents have not initiated action of removal of the structures occupied by unauthorised occupants on the subject property. In terms of the order dated 30th January 2019, Shri Suresh Kumar Surataram has filed an affidavit on behalf of first to third respondents in which he has stated that on 27th January 2018, the State Government has taken a decision to remove the encroachments. It is further stated that the Chief Executive Officer of the Maharashtra Housing and Area Development Authority has already received instructions regarding removal of encroachments. The affidavit further records that

action has been already commenced. The learned counsel appearing for the first to third respondents on instructions states that save and except the structures which are protected by ad-interim or interim orders of the Court of Law, steps will be taken to remove all other encroachments. He states that an endeavour shall be made to remove all the encroachments which are not protected by orders of the Court within a period of six months from today. We accept the said statement.

2 Though the petition is disposed of, for reporting compliance, the petition shall be listed on 3rd October 2019 under the caption of directions. Affidavit of compliance shall be filed on or before 30th September 2019.

(M.S. SANKLECHA, J.)

(A.S.OKA, J.)