

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

WRIT PETITION (L) NO.3068 OF 2017

Chandrashekhar S. Shirodkar ... Petitioner

Vs

State of Maharashtra and Ors. ... Respondents

WITH

WRIT PETITION (L) NO.3055 OF 2018

WITH

SHOW CAUSE NOTICE NO.89 OF 2019

Noor Mohd. Subhan (Deceased through
his legal heirs) Mr.Salim Mansoori and
Anr.

... Petitioners

Vs

State of Maharashtra and Ors. ... Respondents

Mr.Vinod P. Sangvikar i/b Tushar Kochale
for the Petitioner in WPL 3068/17.

Mr.Vinod P. Sangvikar for the Petitioners
in WPL 3055/18.

Mr.Amit Shastri, AGP for State in both the
Petitions.

Mr.A.Y. Sakhare, Senior Advocate a/w
Ms.Rupali Adhate for MCGM.

Mr.Shenoy Gandhi, Assistant Engineer,
H/E Ward present.

CORAM :- S. C. DHARMADHIKARI &
G.S.PATEL, JJ.

DATE :- JUNE 6, 2019

P.C. :-

1. There is an order passed by the Deputy Municipal
Commissioner, Zone III.

2. The Municipal Corporation having done it in terms of this Court's order, in the event, the petitioners are dissatisfied with the order of the municipal authorities, they may adopt such proceedings as they may be advised in law. Therefore, we do not keep these petitions pending. They are disposed of.

3. Needless to clarify that every ad-interim/interim orders in these petitions come to an end. Since a pipeline, adjacent to which these structures were located, was not being maintained or repaired, on this specious ground, by the Municipal Corporation and we having removed this obstacle, we expect the Municipal Corporation to take charge and ensure the repairs and regular maintenance of this pipeline. Secondly, in the event this order is challenged by the petitioners before any court or forum, that forum should bear in mind that this being a public project, any prohibitory or injunctive order will affect the larger interest of the public. The authority should take note of the conduct of the petitioners as well.

4. In view of the disposal of the writ petitions, Show Cause Notice No.89 of 2019 stands discharged.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)