

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.995 OF 2017

Smt. Bharati Prakash Gala

... Petitioner

Vs.

State of Maharashtra, Thr. Principal Secretary
& Ors.

... Respondents

**WITH
INTERIM APPLICATION NO.373 OF 2020
IN
WRIT PETITION NO.995 OF 2017
WITH
INTERIM APPLICATION NO.443 OF 2021
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1885 OF 2018
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1884 OF 2018
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1883 OF 2018
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1882 OF 2018
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1881 OF 2018
IN
WRIT PETITION NO.995 OF 2017**

WITH
CIVIL APPLICATION NO.1878 OF 2018
IN
WRIT PETITION NO.995 OF 2017
WITH
CIVIL APPLICATION NO.1880 OF 2018
IN
WRIT PETITION NO.995 OF 2017

Mr. Amol Mhatre for the Petitioner.

Mr. A. I. Patel, Addl. GP for the Respondent-State.

Mr. A. R. Pitale for Respondent Nos.2 to 4.

CORAM : A.A. SAYED &
ABHAY AHUJA, JJ.

DATE : 20TH APRIL 2022

P.C. :

1. On 6th April 2022, we have passed the following order :-

“P.C. :

1. Learned Senior Counsel for the Respondent-Corporation seeks time to enable him to file an Affidavit to indicate what steps have been / will be taken to demolish the illegal construction as directed by order dated 7th February 2018. The Affidavit shall indicate that time-frame within which the order dated 7th February 2018 shall be complied with.

2. List the matters on 20th April, 2022 for Directions.”

2. Pursuant to the said order, an Affidavit has been filed by Smt. Alka Khaire, Assistant Commissioner, Diva Ward Committee of the Respondent-Corporation. In Paragraph 9 it is stated as under :-

*“9. I say that thus the Thane Municipal Corporation has prepared timeline program of disconnection of water supply and electricity supply to the subject 13 unauthorized buildings on or before 21.04.2022 with the help of police force and thereafter within 2 to 4 weeks, the action of demolition and pulling down of said unauthorized 13 buildings will be taken place in compliance of the orders passed by this Hon’ble Court. Hereto annexed and marked **Exhibit ‘R-5’** is the copy of program of demolition prepared by Asst. Commissioner, Diva Prabhag Samittee, TMC dated 14.04.2022.”*

3. We accept the aforesaid statement made in the Affidavit on behalf of the Respondent-Corporation.

4. If the Respondent-Corporation makes an application to the concerned DCP/Senior Inspector of Police Station for providing police protection for carrying out the demolition work, adequate police protection shall be provided so as to enable the Respondent-Corporation to comply with the orders of this Court.

5. Learned Additional Government Pleader shall communicate this order to the concerned DCP/Senior Inspector of Police Station.

6. The Writ Petition to stand disposed of. All Interim Applications shall also stand disposed of.

7. List the Writ Petition on 20/06/2022 for reporting compliance.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)

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