

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.111 OF 2021

Santosh Sudam Bhoir & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

...

WITH

INTERIM APPLICATION (STAMP) NO.17168 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Shakir AliApplicant
IN THE MATTER BETWEEN
Santosh Sudam Bhoir & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

...

WITH

INTERIM APPLICATION (STAMP) NO.17112 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Sharif ShahApplicant
IN THE MATTER BETWEEN
Santosh Sudam Bhoir & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

...

WITH

INTERIM APPLICATION (STAMP) NO.17171 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Munawar Ali ShahApplicant
IN THE MATTER BETWEEN
Santosh Sudam Bhoir & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

WITH
INTERIM APPLICATION (STAMP) NO.17164 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Shobhnath Yadav	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.17106 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Mohd Akram Mohd Rayees Manihar	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.17104 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Moihammed AftabTaher Ali Khan	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

...
WITH
INTERIM APPLICATION (STAMP) NO.17108 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Mohammed Umar Khan	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.17111 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Istikhar Ali	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

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WITH
INTERIM APPLICATION (STAMP) NO.17040 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Faridsa Mansion Building	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.18462 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Hasrat Ali Hashim Ali Shaikh	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION NO.18479 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Somnath Yadav	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

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WITH
INTERIM APPLICATION NO.18476 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Ayyub Ibrahim Inamdar	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION NO.18475 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Safiya Shamim Ahmed Shah	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION NO.18473 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Wasiulla Shaikh	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION NO.18471 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Rahul Ali	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

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WITH
INTERIM APPLICATION NO.18468 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Munawar Ali Shah	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.18463 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Imran Supariwala & Anr.	Applicants
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

WITH
INTERIM APPLICATION (STAMP) NO.18132 OF 2022
IN
PUBLIC INTEREST LITIGATION NO.111 OF 2021

Chandrakant Chipkar	Applicant
IN THE MATTER BETWEEN	
Santosh Sudam Bhoir & Ors.	Petitioners
V/S	
The State of Maharashtra & Ors.	Respondents

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Ms. Neeta P. Karnik for the Petitioners in PIL.
Mr. Ram S. Apte, Senior Advocate a/w Mr. Narayan R. Bubna, Mr. Harshal P. Nahata and Ms. Dhanashree Bhate for Respondent Nos.2 to 5.
Mr. Suhas Oak a/w Mr. Nikhil Shinde, Mr. Ami Shagh, Mr. Vinod Utekar for the Applicant/Intervener in IA (Stamp) Nos.17168 of 2022, 17112 of 2022, 17171 of 2022, 17164 of 2022, 17106 of 2022, 17104 of 2022, 17108 of 2022, 17111 of 2022 and 17040 of 2022.
Mr. Mathew Nedumpara i/b Ms. Hemali Kurne i/b M/s. Nedumpara & Nedumpara for the Applicant in IA (Stamp) Nos.18462 of 2022 and 18132 of 2022.

Mr. P.P. Kakade, GP a/w Mrs. R.A. Salunkhe, AGP for the Respondent-State.

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**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**
DATE : 16 JANUARY 2023.

P.C.:

PUBLIC INTEREST LITIGATION:

1 Under order dated 5 December 2022 this Court has made observations in paragraph 5. The Court observed that having regard to pendency of the Civil Appeals before the Supreme Court, we do not propose to make any order for vacation of such unauthorized constructions by its occupants for the present. It will be prudent to await the order of the Supreme Court on the Civil Appeals referred to above.

2 As per para 6 of the said order, the Petitioners were to file Affidavit to bring on record relevant documentary evidence in this behalf.

3 We will also consider the submissions of the learned Advocate for the Respondents about the tenability of the Petition.

4 Place the matter on 26 March 2023.

INTERIM APPLICATIONS:

1 All these Interim Applications are filed for Intervention on the ground that these Applicants are not added as parties in the PIL and their rights are affected.

2 We have heard learned Advocates for the Applicants and the learned Advocate for the original PIL Petitioners.

3 Considering the nature of the issues, it would be expedient to hear the Applicants and the Applicants would be necessary parties to the PIL.

4 In light of that the Interim Applications for including the parties/intervening are allowed and the necessary amendments to be carried out by the Petitioners.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)