



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (O) NO.1041/2023

IN

PUBLIC INTEREST LITIGATION (ST) NO. 20381/2022

Abdul Kalim Abdul Hafiz Sheikh Vs. Government of Maharashtra and Ors.

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders
.....

Court's or Judge's order

Mr. R. B. Khan, Advocate for Petitioner.

Mr. D. P. Thakare, Additional Government Pleader for Respondent Nos.1
and 7.

Mr. G. A. Kunte, Advocate for Respondent No. 2.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..

DATED : 18.08.2023

. The petitioner has moved Civil Application (O) No.1041/2023 seeking leave to amend the present proceedings and raise pleadings in the context of the relief sought against the respondent Nos.3 to 5, who it is alleged are acting in a manner contrary to law and in breach of the provisions of the Maharashtra Public Trust Act, 1950. It is submitted that in a high-handed manner, activities of demolition of residential as well as commercial premises is being undertaken at the behest of the said respondents.

2. Having perused the proposed amendment, we find that the persons aggrieved by such activities can take recourse to legal proceedings in accordance with law and raise individual grievances. In the present proceedings, we are not inclined to examine the allegations pertaining to acts undertaken by private individuals. For that reason, proposed prayer clauses (i) to (k) of the Civil Application are not

entertained. The amendment only to the extent of prayer clause (h) is granted.

3. The petitioner is at liberty to file an appropriate application in case any averments with regard to respondent Nos.2 and 6 are sought to be brought on record. The present Civil Application is accordingly disposed of.

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. Pursuant to the order dated 11.01.2023, reply has been filed on behalf of the respondent No.1 indicating steps taken in the matter of beautification of Tajabad premises in the context of Government Resolution dated 30.09.2013. Stand over two weeks.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)