

Jvs.

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

**CONTEMPT PETITION NO. 204 OF 2023
IN
PUBLIC INTEREST LITIGATION NO. 7 OF 2020**

Terence Roman Hendriques	}	Petitioner
Versus		
Anilkumar Pawar, Munical	}	
Commissioner, Vasai-Virar City	}	
Municipal Corporation	}	Respondent

Mr. Udayan Mukherjee i/by Brinal Lopes
for petitioner.

Ms. Swati Sagvekar for respondent.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.
DATE: 1st FEBRUARY 2024**

P.C.:

1. Ms. Sagvekar, learned counsel appearing for the respondent tenders certain printouts of the Facebook accounts of the petitioner and one Mr. Ajay Jaiswal, who is said to have represented the petitioner in the PIL petition. The printouts, a copy of which has been handed over to the learned counsel for the petitioner, are taken on record.

2. From a perusal of the aforesaid printouts from the Facebook account of the petitioner himself, it is apparent that in compliance of the order dated 4th July 2022 passed by a Division Bench of this Court in Public Interest Litigation No. 8 of 2020 and other connected matters, the Municipal Corporation has affixed cautionary boards alerting the member of the public and

all concerned to the effect that the structures are not legal and there are orders for their demolition. It is not that the respondent-Corporation has not taken any steps for ensuring compliance of the order dated 4th July 2022.

3. At this juncture, learned counsel representing the petitioner has drawn our attention to some photographs depicting certain other such school buildings where cautionary boards are not affixed. Even if what has been stated in the petition is correct to certain extent, it cannot, in any manner, be said that the Municipal Corporation has not taken any steps, whereas the very basis of filing of this contempt petition is that the Municipal Corporation has not taken any steps for compliance of the order dated 4th July 2022. The said statement has been made in para 8 of the contempt petition, where the petitioner states that till date no steps whatsoever are taken by the respondents to give effect to and comply with the order of this Court, dated 4th July 2022.

4. The petitioner had earlier filed the PIL petition, however, any statement which is not correct cannot be expected to be made in any such plea.

5. For the aforesaid reasons, we are not inclined to entertain this contempt petition presently, which is dismissed at this stage. However, this would not mean that the respondent-Corporation in any manner will be at leisure so far as the compliance of the order dated 4th July 2022 is concerned.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)