

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 3488 OF 2018****WITH****INTERIM APPLICATION NO.739 OF 2024**

Feroz Ahmed Vazir Ansari

.....Petitioner

Vs.

The Municipal Corporation
of Greater Mumbai & Ors.

.....Respondents

Mr. Rupesh Dubey i/by Adv. J.B. Mishra for the Petitioner.

Smt. P.H. Kantharia, G.P. for the Respondent-State.

Mr. Chaitanya Chavan a/w Adv. R.M. Hajare i/by Adv. Komal Punjabi for
the BMC.Mr. Arun Chauhan, DO "E" Ward, (B & F) Dept. present.

**CORAM : A. S. GADKARI AND
P. S. KHUBALKAR, JJ.****DATE : 25th OCTOBER, 2024.****PC.:-**

1) Learned Government Pleader tendered across the bar an Affidavit of Shri. Sanjay Nimbalkar, Senior Inspector of Police, Agripada Police Station thereby placing on record the fact that on 22nd October, 2024 and 23rd October, 2024 sufficient number of police personnel were deputed at the site to provide the protection to the Officers of BMC. The said Affidavit is taken on record.

2) Learned Advocate appearing for the BMC tendered across the bar a Report dated 24th October, 2024 signed by the concerned Officers of the BMC. It is stated therein that, on 22nd and 23rd October, 2024, the officers of BMC carried out demolition action at “Al Rayan Tower” with the help of Police. It is further stated that, during the demolition, it was noticed that, most of the rooms were locked. That, the office of the BMC is unable to perform panchanama of the said locked rooms as most of the staff members are not available due to Assembly Election duties.

3) Learned Advocate for the Petitioner submitted that, alleged action of demolition is only an eye-wash and the BMC officers have only punched/created holes on the walls and entire structure is not demolished.

The photographs annexed to the report dated 24th October, 2024 supports the contention of the learned Advocate for the Petitioner.

Learned Advocate for the BMC on instructions from Mr. Arun Chauhan, D.O. “E” Ward, (B & F) Department submitted that, the demolition action of the suit premises will be completed within a period of one week from today. The said statement is accepted.

4) Stand over to 13th November, 2024.

(P. S. KHUBALKAR, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date: 2024.10.25
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