

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2620 OF 2024

Bailica of Our Lady of The Mount ...Petitioner
Versus
The Brihanmumbai Municipal Corporation & Ors ...Respondents

Floyd Francis Mariano Gracias, with Vedika D, for the Petitioner.
Ms Meena Dhuri, for the Respondent-BMC.
Ms Kunal Bhanage, for Respondent No. 3.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 2nd July 2024

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1. Heard learned Counsel for the parties.
2. The main grievance in this Petition concerns in implementation of the BMC's demolition orders dated 4th December 2015 and 25th May 2019 (Exhibit "F" and "I"). The Petitioner contends that both these demolition orders are not fully complied with.
3. Learned Counsel for the 3rd Respondent, who had put up this constructions, contends that both the orders are fully complied with.

4. Accordingly, we direct the Corporation to depute its officials to inspect the site on 6th July 2024 at 11.00 am. The representatives of the Petitioner and the 3rd Respondent may remain present at the site if they chose to. However, under no circumstances, any of this party should obstruct the inspection.

5. The BMC must file a report in this Court along with photographs by 9th July 2024 about whether the two demolition orders are fully complied with or not.

6. List the matter on 11th July 2024.

(Kamal Khata, J)

(M.S. Sonak, J)