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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3758 OF 2024

Santa Tukaram Maharaj SRA Co-op. Housing ...Petitioners
Society Ltd. And anr.

Versus

The Chief Executive Officer, Slum ...Respondents
Rehabilitation Authority & Ors.

Mr Kunal Bhange, *i/b. Mr. Akshay Pawar, for the Petitioners.*
Dr. Uday Warunjikar, *a/w. Mr. Sachin Chandan, for the*
Intervenor.

Ms. R.M. Hajare, *i/b. Mr. Sunil Sonawane, for the*
Respondent-BMC.

Ms. Geeta R. Shastri, *for the Respondent No. 1-SRA.*

Smt. Lavina Kriplani, AGP, *for the Respondent - State.*

Mr. Mohit Jadhav, *for the Respondent No. 4.*

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 8th August 2024

PC:-

1. The SRA has filed the compliance report that the wall in question is already constructed. Learned counsel for the Petitioners and the Developer point out that there was stiff resistance by mob gathered at the site and it is only on account of the police protection that the work could be completed.

2. Learned counsel for the Petitioners, Developer and SRA points out that the mob has now breached another portion of the compound wall claiming some sort of an easementary access. Learned AGP states that necessary police protection would be provided so that no parties take law in their own hands.

3. The Builder/Developer states that the breached portion would be rebuilt on 12th August 2024 from 10:00 a.m. onwards. This construction has to take place in the presence of SRA officials. Learned AGP assures the Court that adequate police force will be available at the site on 12th August 2024 from 10:00 a.m. onwards until the breach is duly plugged.

4. Learned counsel for the Builder/Developer states that police complaints were sought to be filed but the police are not accepting the complaints. We are assured that the police will take necessary action as contemplated under the law so that no parties take the law in their own hands under the threats of violence.

5. If any people have any grievances regards the plugging of breach in a compound wall, it is open to such people to take resort to law. However, there is no question of taking the law in their own hands and preventing the Authorities like

SRA from discharging their functions. In such a situation, it is the duty of the police officials to render all possible assistance.

6. We now post the matter for reporting further compliance on 16th August 2024.

7. Adequate police force even Senior Police officials must remain present at the site.

(Kamal Khata, J)

(M.S. Sonak, J)