

VRJ

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

PUBLIC INTEREST LITIGATION NO.148 OF 2024

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RAMESH
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Shabbir Abdul Shaikh

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

None for the petitioner.

Mr. D. K. Sawalkar for respondent No.2.

Mr. O. A. Chandurkar, Additional Government
Pleader for the State-respondent Nos.1 and 5.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ
& AMIT BORKAR, J.**

DATED : JANUARY 2, 2025

P.C.:

1. An affidavit-in-reply filed on behalf of respondent No.2 is taken on record.

2. Mr. D. K. Sawalkar, learned advocate representing respondent No.2 has stated that the land belonging to Indian Institute of Technology, Bombay is in illegal occupation and various proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 were drawn which have resulted in passing of the orders of eviction. It is further stated that matters by the unauthorised occupants in some cases were taken to appellate authority and have even been

carried to other Court. The orders of eviction have not been set aside or rescinded or vary by any other Court.

3. In these circumstances, we direct that in cases where eviction orders have been passed, and such eviction orders have not been set aside or rescinded or varied by another Court or forum, the eviction of the unauthorised occupants shall be carried out by the authorities concerned, and in case any help of the local police authority is needed, the concerned Senior Police Inspector of the Police Station concerned shall extend all co-operation, and if required the requisite police force as well. In case of requirement of any police force, if any such prayer is made by the authority concerned, the same shall be considered and adequate police protection shall be provided for removal of the encroachment.

4. The learned Additional Government Pleader is directed to communicate this order to the concerned police station as also to the higher police authorities for ensuring compliance.

5. By the next date, an affidavit shall be filed by respondent No.2 as to what action is taken during this period for effecting eviction of unauthorised occupants from the land belonging to the Indian Institute of Technology, Bombay.

6. Stand over to **5 February 2025**.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)