

PVR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9403 OF 2025

We Care Foundation.

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

Mr. Majid Ibji and Hitendra Gandhi, for the Petitioner.

Ms S. A. Prabhune, AGP for the State-Respondent Nos.1 & 4.

**CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.**

DATE: 09 JULY 2025.

P.C.

1. Not on board taken on board on a praecipe as moved on behalf of the petitioner.
2. Issue notice to respondent Nos.2 and 3 returnable on 23 July 2025.
3. Ms. Prabhune, learned AGP waives service for respondent Nos.1 & 4.
4. Learned Counsel for the petitioner has drawn our attention to the impugned notice dated 9 May 2025 issued to the petitioner in regard to the structure which is in a Muslim Qabrastan, and in which facilities like cloakroom has been provided, also a shed for the purpose of washing hands and performing ablution has been put up.
5. We are informed that although a representation against the notice has been already made, the same is yet to be decided and demolition is threatened. It is stated that the officials of respondent No.2-CIDCO are already on the site.
6. Notice of today's application before the Court has been issued to respondent No.2-CIDCO by e-mail, however, respondent No.2 is not represented.
7. In the aforesaid circumstances as and by way of ad-interim order, we direct

that no coercive action be taken by respondent No.2 (CIDCO) and/or respondent No.3 (Navi Mumbai Municipal Corporation) against the structures subject matter of notice dated 9 May 2025 (Exhibit A, page 26 to the petition) till the adjourned date of hearing.

8. Let reply affidavit by the respondents be placed on record on or before adjourned date of hearing. We shall proceed to hear the parties and pass appropriate orders on the adjourned date.

9. Learned Advocate for the petitioner is permitted to inform the concerned Advocate for the CIDCO on telephone.

10. Parties to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)