

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****CONTEMPT PETITION NO. 90 OF 2024****IN****WRIT PETITION NO. 2601 OF 2018**

Solitaire Builders & Developers

... Petitioner

V/s.

Municipal Corporation Of Gr. Mumbai & Ors.

... Respondents

Mr. Manish Gala a/w. Mr. Nilesh Gala, Mr. S. Jain & Mr. Amir Naje i/b. Law Square for Petitioner.

Mr. Girish Godbole a/w. Mr. Anoop Patil & Ms. Meena Dhuri for BMC.

Ms. Vrushali Kabre, A.G.P. for State.

Officers of BMC :- (i) Mr. Dhanaji Herlekar, Asst. Commissioner, 'L Ward & (ii) Mr. Dudhbhate, Asst. Engineer, B&F, 'L Ward, present.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 22nd January 2025.

P.C. :

1) Mr. Dhanaji Herlekar, Assistant Commissioner, 'L Ward, has filed a detailed Affidavit dated 17th January 2025 stating therein that, the entire suit structure is demolished and the debris thereof have been removed. The said Affidavit is taken on record.

1.1) In view thereof, the directions issued in para No. 20(a) of Order dated 21st November 2024 are complied with by the concerned Authority.

2) As far as the directions issued in para No. 20(b) is concerned, Mr. Bhushan Gagrani, Municipal Commissioner of BMC has filed a detailed Affidavit dated 17th January 2025. In para No. 13 thereof, he has given the names of concerned Officers, who failed in performing their lawful duty and in complying with the Orders passed by this Court. In para Nos. 14 & 15 of the said Affidavit, it is stated that, the explanation from the concerned persons was called for, however the said persons did not offer satisfactory explanation or any justifiable reasons for non compliance of the Orders of this Court and therefore by an Order dated 11th November 2024 the representations of the concerned persons have been rejected. That, it has been proposed to initiate enquiry against the concerned errant Officers and the said enquiry may take about two months to complete it.

3) In view of the Affidavit filed by the Municipal Commissioner of BMC, stand over to 23rd April 2025.

4) To be listed under the caption 'For reporting compliance'.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

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