

JYOTI
RAJESH
MANE

Digitally signed
by JYOTI
RAJESH MANE
Date: 2025.10.17
10:27:31 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2443 OF 2025

Anil Bhimsingh Kanojia & Ors.

...Petitioners

Versus

The State Of Maharashtra Through
Government Pleader & Ors.

...Respondents

Mr. R.D.Soni a/w Mr. Dharam Sharma a/w. Ms. Uma Sharma i/b, Dharam & CO.
for Petitioner Nos.1, 2,4,6 to 10 & 17 .

Ms. Poonam Mital, AGP for Respondent – State.

Ms. Ravleen Sabharwal a/w. Mr. Shakeeb Shaikh, Mr. Aftab Diamondwala a/w.
Mr.Noorain Patel i/b.Diamondwala & Co. for Respondent No.5.

Ms. Vandana & Ms. Vinya, representative of Respondent No.5 present.

Ms. Pushpa Yadav i/b. Ms.Komal Punjabi, for BMC.

Mr. Vinayak Patil, Road Engineer G/South.

**CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.**

DATE: 15th October 2025

P.C.

1. On the backdrop of earlier several orders we have heard learned counsel
Mr. Soni, for the Petitioners.

2. This present Petition was repeatedly heard before this Court as also time
to time adjourned so that an amicable resolution of disputes is brought about. In
fact consent terms were also exchanged between the parties. However on such
repeated indulgences we are informed that it is not possible for the Petitioners to

agree to any settlement, in our opinion what would be the reasonable resolution of disputes pending the redevelopment which is being undertaken by Respondent No.5.

3. We accordingly heard learned counsel. We may at the onset observe that the Petitioners are described to be “Rassi holders” who are using the land in question undertaking activities of drying clothes on ropes fixed in the land subject matter of redevelopment on the land described as Dhobi Ghat. Thus any right in respect of such use of the land is only for the purpose of inserting the ropes and it is not in position that the Petitioners are enjoying any occupation of any residential or commercial structure. The Petitioner hence cannot cause any hurdles in the implementation of redevelopment which is now being permitted and being undertaken by Respondent No.5. In this view of the matter, we cannot recognize any rights of the Petitioners to obstruct and cause hurdle in not removing their ropes more particularly when alternate site has been offered to them by Respondent No.5. Thus the Municipal Corporation or any other authority is free to take any appropriate action qua any obstruction in the smooth redevelopment of the scheme. In any event considering the nature of the scheme, such meager number of persons cannot stall the redevelopment.

4. In the above circumstances, keeping it open for the Petitioners to enter into any amicable settlement we are not inclined to interfere in the present proceedings. The petition is accordingly dismissed. No costs.

5. Later on at this stage, Mr. Soni, learned counsel for the Petitioners submits that the Petitioners are now agreeable to enter into Consent Terms of that

be to let the appropriate Consent Terms in that regard be placed before the Court tomorrow.

6. Stand over to 16th October 2025.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)