

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

PUBLIC INTEREST LITIGATION NO.25 OF 2025

Chetan Hemant Bhoir

.. Petitioner

Vs.

The State of Maharashtra,

Through Urban Development Dept. & Ors.

.. Respondents

Mr. Vijay Kurlle with Mr. Sagar Ugale, Mr. Bhagwan Kasture and Mr. Sumer Singh, Advocates for the Petitioner.

Mrs. Neha S. Bhide, Government Pleader with Mr. O.A. Chandurkar, Additional Government Pleader and Mrs. G.R. Raghuwanshi, Assistant Government Pleader for Respondent No.1.

Mr. M.P. Rao with Ms. Swati Sagvekar, Advocates for Respondent Nos.2 and 3.

Mr. Aditya Kharkar, Advocate for Respondent No.4.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 6TH APRIL 2026.

P.C. :

By this Public Interest Litigation, the petitioner seeks the following reliefs:-

- a. That this Hon'ble Court be pleased to issue appropriate writ, direction or order to prohibit the respondent-Authority from the demolition of the suit buildings with gross violation of the fundamental right to shelter till rehabilitation of the occupants;*
- b. That this Hon'ble Court be pleased to declare the instant action of demolition of the suit buildings unreasonable without rehabilitation of the occupants of the buildings in view of the law laid down by the Constitution Bench of the Hon'ble Supreme Court in the case of "Olga Tellis & Ors. v. Bombay Municipal Corporation & Ors." (1985) 3 SCC 545;*
- c. That this Hon'ble Court be pleased to direct the respondent nos.1 and 2 to furnish the relief and rehabilitation plan to the occupants of the suit building before initiating any precipitative steps for demolition.*

- d. *That this Hon'ble Court be pleased to stay the demolition drive during pendency of this PIL;*
- e. *That the ad-interim in terms of the prayer clause 'd' be granted."*

2. Mr. Vijay Kurle, the learned counsel for the petitioner has very fairly brought to the notice of this Court that a writ petition being Writ Petition No.12175 of 2025 has been filed by the Society, namely, Jay Ambe Welfare Society & Ors. in which an order has been passed on 24th September 2025 directing the petitioners therein to add the landlords and the builders as party-respondents therein.

3. The learned counsel for the petitioner submits that though the initial prayer made in this Public Interest Litigation no longer survives in view of the fact that the subject buildings have been demolished but the issue of rehabilitation of the occupants of those buildings still remains alive.

4. To avoid multiplicity of the proceedings and ensure that no conflicting order is passed by two Benches of co-equal strength, we would permit the petitioner to move an application for impleadment in the pending Writ Petition No.12175 of 2025 while disposing of the present Public Interest Litigation.

5. If the petitioner files such an application for impleadment, that shall be decided on its own merits.

6. Public Interest Litigation No.25 of 2025 is disposed of in the above terms.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]