



rayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 2592 OF 2013
WITH
WRIT PETITION NO. 40 OF 2017
WITH
WRIT PETITION NO. 62 OF 2016
WITH
WRIT PETITION NO. 90 OF 2016
WITH
WRIT PETITION NO. 118 OF 2015
WITH
WRIT PETITION NO. 121 OF 2015
WITH
WRIT PETITION NO. 129 OF 2016
WITH
WRIT PETITION NO. 142 OF 2014
WITH
CHAMBER SUMMONS NO. 167 OF 2018
WITH
WRIT PETITION NO. 228 OF 2014
WITH
WRIT PETITION NO. 234 OF 2014
WITH
WRIT PETITION NO. 275 OF 2015
WITH
WRIT PETITION NO. 322 OF 2014
WITH
WRIT PETITION NO. 438 OF 2016
WITH
WRIT PETITION NO. 539 OF 2014
WITH
WRIT PETITION NO. 656 OF 2018
WITH
WRIT PETITION NO. 696 OF 2015**

WITH
WRIT PETITION NO. 754 OF 2014
WITH
WRIT PETITION NO. 758 OF 2014
WITH
WRIT PETITION NO. 872 OF 2016
WITH
WRIT PETITION (ST.) NO. 912 OF 2018
WITH
WRIT PETITION NO. 916 OF 2017
WITH
WRIT PETITION NO. 1019 OF 2017
WITH
WRIT PETITION NO. 1045 OF 2015
WITH
WRIT PETITION NO. 1063 OF 2016
WITH
WRIT PETITION NO. 1076 OF 2014
WITH
WRIT PETITION NO. 1197 OF 2015
WITH
WRIT PETITION NO. 1199 OF 2016
WITH
WRIT PETITION NO. 1200 OF 2015
WITH
WRIT PETITION NO. 1214 OF 2015
WITH
WRIT PETITION NO. 1223 OF 2015
WITH
WRIT PETITION NO. 1253 OF 2015
WITH
WRIT PETITION NO. 1277 OF 2018
WITH
WRIT PETITION NO. 1278 OF 2013
WITH
WRIT PETITION NO. 1297 OF 2018
WITH

WRIT PETITION NO. 1348 OF 2014
WITH
WRIT PETITION NO. 1472 OF 2015
WITH
WRIT PETITION NO. 1488 OF 2015
WITH
CHAMBER SUMMONS NO. 180 OF 2018
WITH
WRIT PETITION NO. 1512 OF 2015
WITH
CHAMBER SUMMONS NO. 56 OF 2016
WITH
WRIT PETITION NO. 1524 OF 2014
WITH
WRIT PETITION NO. 1622 OF 2015
WITH
WRIT PETITION NO. 1624 OF 2015
WITH
WRIT PETITION (ST.) NO. 1625 OF 2018
WITH
WRIT PETITION NO. 1629 OF 2017
WITH
WRIT PETITION NO. 1671 OF 2018
WITH
WRIT PETITION NO. 1672 OF 2016
WITH
WRIT PETITION NO. 1680 OF 2016
WITH
WRIT PETITION NO. 1695 OF 2014
WITH
WRIT PETITION NO. 1738 OF 2014
WITH
WRIT PETITION NO. 1739 OF 2014
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WRIT PETITION NO. 1755 OF 2014
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WRIT PETITION NO. 1756 OF 2014

WITH
WRIT PETITION NO. 1766 OF 2014
WITH
WRIT PETITION NO. 1767 OF 2014
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WRIT PETITION NO. 1772 OF 2014
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WRIT PETITION NO. 1774 OF 2014
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WRIT PETITION NO. 1775 OF 2014
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WRIT PETITION NO. 1781 OF 2014
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WRIT PETITION NO. 1789 OF 2014
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WRIT PETITION NO. 1790 OF 2014
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WRIT PETITION NO. 1791 OF 2014
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WRIT PETITION NO. 1791 OF 2018
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WRIT PETITION NO. 1792 OF 2014
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WRIT PETITION NO. 1793 OF 2014
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WRIT PETITION NO. 1807 OF 2014
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WRIT PETITION NO. 1812 OF 2013
WITH
WRIT PETITION NO. 1832 OF 2014
WITH
WRIT PETITION NO. 1843 OF 2014
WITH
WRIT PETITION NO. 1906 OF 2015
WITH
WRIT PETITION NO. 1917 OF 2014
WITH
WRIT PETITION NO. 1943 OF 2014
WITH
WRIT PETITION NO. 1983 OF 2016
WITH
WRIT PETITION NO. 2087 OF 2017
WITH
WRIT PETITION NO. 2089 OF 2015
WITH
WRIT PETITION NO. 2118 OF 2015
WITH
WRIT PETITION NO. 2184 OF 2014
WITH
WRIT PETITION NO. 2205 OF 2015
WITH
RESTORATION APPLICATION NO. 822 OF 2015
WITH
WRIT PETITION NO. 2248 OF 2014
WITH
WRIT PETITION NO. 2266 OF 2014
WITH
WRIT PETITION NO. 2310 OF 2015
WITH
WRIT PETITION NO. 2369 OF 2017
WITH
WRIT PETITION NO. 2375 OF 2016

WITH
WRIT PETITION NO. 2376 OF 2013
WITH
WRIT PETITION NO. 2389 OF 2014
WITH
WRIT PETITION NO. 2392 OF 2014
WITH
WRIT PETITION NO. 2393 OF 2014
WITH
WRIT PETITION (ST.) NO. 2393 OF 2018
WITH
WRIT PETITION NO. 2396 OF 2014
WITH
WRIT PETITION NO. 2397 OF 2014
WITH
WRIT PETITION NO. 2398 OF 2014
WITH
WRIT PETITION NO. 2399 OF 2014
WITH
WRIT PETITION NO. 2401 OF 2014
WITH
WRIT PETITION NO. 2465 OF 2015
WITH
RESTORATION APPLICATION NO. 951 OF 2015
IN
WRIT PETITION NO. 2465 OF 2015
WITH
WRIT PETITION NO. 2468 OF 2014
WITH
WRIT PETITION (ST.) NO. 2482 OF 2018
WITH
WRIT PETITION NO. 2528 OF 2014
WITH
WRIT PETITION NO. 2659 OF 2014
WITH
WRIT PETITION NO. 2686 OF 2014
WITH

WRIT PETITION NO. 2751 OF 2015
WITH
WRIT PETITION NO. 2777 OF 2015
WITH
WRIT PETITION NO. 2834 OF 2015
WITH
WRIT PETITION NO. 2855 OF 2014
WITH
WRIT PETITION NO. 2872 OF 2014
WITH
WRIT PETITION NO. 2881 OF 2015
WITH
WRIT PETITION NO. 2922 OF 2015
WITH
NOTICE OF MOTION NO. 283 OF 2017
IN
WRIT PETITION NO. 1983 OF 2016
WITH
NOTICE OF MOTION (ST.) NO. 795 OF 2015
IN
WRIT PETITION NO. 696 OF 2015
WITH
PUBLIC INTEREST LITIGATION NO. 46 OF 2014

Property Owners' Association & Ors. ...Petitioners

Versus

State of Maharashtra & Ors. ...Respondents

Mr. Rafiq Dada, Senior Counsel a/w Mr. Zubair Dada, a/w Ms. Kathleen Lobo Ms. Aastha Arora i/b Khaitan & Co. for the Petitioner in WP/2266/14 and WP/2777/15.

7/14
August 16, 2018

Mr. Virag Tulzapurkar, Senior Counsel a/w Ms. Sowmya Srikrisha, Ms. Jasmine Kachalia, Mr. Abinash Pradhan i/b Wadia Ghandy & Co. for the Petitioner in WP/90/2016.

Jasmine Kachalia, Mr. Abinash Pradhan i/b Wadia Ghandy & Co. for the Petitioner in WP/1199/2016.

Mr. Rafiq Dada, Senior Counsel a/w Mr. H. Devrajan, Mr. B. H. Antia, Mr. J. Shah, Mr. H.N. Vakil and Mr. George Das i/b Mulla & Mulla for the Petitioner in WP/2592/2013.

Mr. S.U.Kamdar, Senior Counsel a/w Ms. Amisha Patel i/b Wadia Ghandy & Co. For the Petitioner in WP/62/2016.

Dr. Veerendra Tulzapurkar, Senior Counsel a/w Mr. Sanjay V. Kadam and Ms. Apeksha Sharma, Mr. Sanjeel Kadam and Ms. Saylee Rajpurkar i/b Kadam & Co for the Petitioner in WP/1629/17.

Mr. Milind Sathe, Senior Counsel a/w Mr. Sanjay V. Kadam and Ms. Apeksha Sharma, Mr. Sanjeel Kadam and Ms. Saylee Rajpurkar i/b Kadam & Co. for the Petitioner in WP/1629/17.

Mr. Vaibhav Sugdare a/w Mr. Samsheer Garud and Ms. Radhika Nair i/b Jayakar & Partners for the Petitioner in WP/142/14 and WP/234/2014.

Ms. Akanksha Patil i/b Shah Legal for the Petitioner in WP/438/2014.

Mr. Sarang Pathak i/b Mr. Rakesh Singh for the Petitioner in WP/2922/2015.

Mr. T.C.Deshpande i/b Mr. V.B.Dhawan for the Petitioner in WP/1943/14 for the Respondent Nos. 6 and 7 in WP/438/16.

Mr. R.M.Nakhawa a/w Mr. Tushar C. Deshpande i/b Mr. Vasant Dhawan for the Petitioner in WP/1045/15, 1943/14, 1512/15, 1223/15, 1472/15, 129/16

Mr. K.B.Adyantheya a/w Mr. Rakesh K. Singh a/w Ms. Dipti Sharma for the Petitioner in WP/121/2015.

Mr. Rafiq Dada, Senior Counsel a/w Mr. R.K.Satpalkar i/b M/s. Mulla & Mulla & Craigie Blunt & Caroe for the Petitioner in WP/539/14, 1672/16.

Mr. Arvind Aswani i/b Mr. Jagdish G. Reddy for the Petitioner in WP/1488/15.

Mr. Filji fredrick a/w Ms. Prateeti Thakar and Mr. Shubham Mittal i/b FF & Associates for the Petitioners in WP/1524/14, WP/1739/14, WP/1755/14, WP/1756/14, WP/1766/14, WP/1767/14, WP/1772/14, WP/1774/14, WP/1775/14, WP/1781/14, WP/1782/14, WP/1783/14, WP/1784/14, WP/1785/14, WP/1786/14, WP/1788/14, WP/1789/14, WP/1790/14, WP/1791/14, WP/1792/14, WP/1793/14, WP/1804/14, WP/1832/14, WP/1843/14, WP/2389/14, WP/2392/14, WP/2393/14, WP/2396/14, WP/2397/14, WP/2398/14, WP/2399/14, WP/2401/14, WP/2468/14, WP/2528/14, WP/2659/14.

Ms. Amruta A. Sawant i/b Sonal Doshi & Co for the Petitioner in WP/1695/14 and WP/2834/15.

Mr. Sandip Jalan for the Petitioner in PIL/46/14.

Ms. Sonali Mehta a/w Ms. Mansi Kalvit i/b Mahernash Humranwala for the Petitioner in WP/2248/14.

Mr. Huda Diamondwala i/b Diamondwala & Co for the Petitioner in WP/1065/16.

Mr. B.N.Shukla i/b M/s D.J.Kamdin & Co for the Petitioner in WP/1791/2018.

Dr. Milind Sathe, Senior Counsel a/w Mr. Saket Mone and Ms. Neha Joshi a/w Mr. Subit Chakraborti i/b M/s. Vidhi Partners for the Petitioner in WP/2184/14, WP/1253/15 and WP/2087/17.

Mr. Rashmin Khandekar, Mr. Shailesh Mendon a/w Ms. Smruti Kanade i/b Negandhi Shah & Himayatullah for the Petitioner in WP/118/15.

Vishal Kanade a/w Ms. Yasmin Bhansali i/b Yasmin Bhansali & Co. for the Petitioner in WP/2686/14.

Mr. Yaghesh Kamdar a/w Ms. Rujuta Patil i/b Negandhi Shah & Himayatullah for the Petitioner in WP/2465/15 and WP/1983/16.

Mr. Sanjiv Sawant a/w Ms. Samira Surtawana for the Petitioner in WP/1214/15 and WP/696/15.

Mr. Jehangir Jeejeebhoy i/b Bharucha & Partners for the Petitioner in WP/2376/13.

Mr. Abinashkumar Pradhan i/b Wadia Ghandy & Co. for the Petitioner in WP/1199/2016.

Ms. Pushpa Thapa i/b Ms. Kavita A. Shah for the Petitioner in WP/1278/13.

Mr. Karan Bhosale a/w Mr. Huda Diamondwala i/b Diamondwala & Co for the Petitioner in WP/1063/2016.

Mr. H.Devarajan and Mr. Ashok Rajgpalan, Mr. Jayom Shah i/b Mr. Aagan J. Doshi for the Petitioner in WP/1019/2017.

Mr. Sanjay Kadam, Ms. Apeksha Sharma, Mr. Sanjeel Kadam, Ms. Sayli Rajpurkar i/b Kadam & Co. for the Petitioner in WP/2375/2016, WP/1629/17, WP/656/18 and WP/2369/17.

Mr. Pochkanwala, Senior Counsel a/w Mr. S.S.Pakale, Mr. Saurabh Pakale, Mr. Avesh Awadeshji and Ms. Pallavi Thakar for the Respondent-BMC in WP/2592/2013 and WP/2375/2016.

Ms. Pallavi Thakar for the Respondent-BMC in all matters except WP/2592/2013 and WP/2375/2016.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. G.W.Mattos,

AGP for Respondent-State in WPL/713/2018.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Ms. G.R.Shastri, Addl. G. P. for the Respondent-State in WPL/1278/13, WP/2376/13, WP/2592/13, WP/142/14, WP/228/14,234/14,1739/14,1756/14,1786/14,2184/14,2248/14,2392/14, 1223/15,1253/15,1472/15,2205/15,2310/15,2465/15,2777/15,2834/15,62/16,129/16,872/16,1063/16,1680/16,1983/16,2375/16,WP/1695/14,WP/2266/14, WP/275/15, WPL/1283/15, WP/1199/16, WP/1277/18 and 1019/16

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. A.L.Patki, Addl. G. P. for the Respondent-State in WP/1812/13, WP/916/17, WP/656/2018, WPL/912/18 and WP/539/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Milind More, Addl. G. P. For the Respondent-State in PIL/46/14, WP/1348/14, WP/1076/14, 758/14, 1783/14, 1781/14, 1790/14, 2399/14,118/15,2855/14, 1622/15, 90/16, 2087/17 and WP/1671/18.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. H.S.Venegaonkar, Addl. G. P. For the Respondent-State in WP/1214/15, 1200/15,1197/15, 1045/15, 1488/15, 2751/15, 438/16 and WP/1906/15.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Ms. Uma Palsule-Desai, AGP for the Respondent-State in WP/2767/14, 1789/14,1807/14,1792/14, WP/1767/14, WP/1774/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr.

M.A.Sayed, AGP for the Respondent-State in WP/322/14, 1524/14, WP/1755/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. L.T.Satelkar, AGP for the Respondent-State in WP/754/14, WPL/1625/18.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Kedar Dighe, AGP for the Respondent-State in WP/1774/14, 1772/14, 1788/14, 1785/14, 1832/14, 1793/14, 1791/14, 2397/14, 2528/16.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Dushyant Kumar, AGP for the Respondent-State in WP/1775/14, WP/2397/14, WP/1784/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. R.J.Mane, AGP for the Respondent-State in WP/2872/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Ms. Jyoti Chavan, AGP for the Respondent State in WP/1943/14.

Mr. A.A. Kumbhakoni, Advocate General/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. U.S.Upadhyay, AGP for the Respondent-State in WP/1917/14, WP/2396/14 and WP/2401/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Amar Mishra, AGP for the Respondent-State in WP/2389/14, 2396/14, WP/2393/14.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr.

S.B.Gore, AGP for the Respondent-State in WP/629/17, WP/1629/17, WPL/2393/18.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Manish Upadhyay, AGP for the Respondent-State in WP/1766/14, 1782/14, 2398/14, 2369/17.

Mr. A.A. Kumbhakoni, Advocate General a/w Mr. Ashutosh Kulkarni, 'A' Panel Counsel with Mr. Gaurav Sharma and Mr. Amit Shastri, AGP for the Respondent-State in WP/3109/15 WP/2089/15, WP/1791/18.

Mr. G.B.Walawalkar i/b Mr. S.P.Thorat for the Respondent No. 5 in WP/2310/15, WP/1472/15.

Mr. V.P.Kakade i/b Mr. V.P.Sawant for the Respondent No. 5 in WP/2087/17 for the Respondent No. 7 in PIL/104/13.

Mr. Sahil Gandhi a/w Mr. Rishi Jha i/b Markand Gandhi & Co. for the Respondent No. 6 in WP/2087/2017.

Mr. Rajiv Chavan, Senior Counsel a/w Mr. D.P.Singh for the Respondent No. 5 in PIL/79/2014.

Ms. Yashodee Deshmukh for the Respondent-BMC in WP/549/2015.

**CORAM : ABHAY S. OKA AND
RIYAZ I. CHAGLA, JJ.**

DATE : 16 August 2018

ORDER :

1. This group of Writ Petitions has been heard by this

13/14
August 16, 2018

Bench for a considerably long time. However, there is change of assignment from 20th August 2018.

2. We direct the Prothonotary & Senior Master to submit a proposal for treating this group as Part Heard Matters before the Hon'ble the Acting Chief Justice for necessary approval.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]