

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

WRIT PETITION (L) NO.900 OF 2020

A1 – Fateh CHSL. & Anr. ... Petitioners

Versus

Municipal Corporation of Greater Mumbai & Ors. ... Respondents

Mr.Vishal Kanade a/w. Mr.Ali Bubere for the Petitioners.

**CORAM : S.J.KATHAWALLA, &
R.I. CHAGLA, JJ.**

DATE : 19TH MARCH, 2020

P.C. :

1. Not on board. Upon mentioning, taken on board.
2. Perused the Praecipe dated 19th March, 2020.
3. Without going into the merits of the matter, the demolition of the impugned structure is stayed upto 31st March, 2020.
4. In view of the current situation created by the global pandemic – corona virus (COVID-19), the Courts are taking up only urgent matters between 12.00 noon to 2.00 p.m. The Courts are also trying to ensure that even during these two hours, the Court rooms should not be over crowded and only individuals whose presence is absolutely necessary in their respective matters, should be allowed to be present in the Court rooms. Most of the urgent matters pertain to seeking restraint orders against the Municipal Corporations from carrying out demolition, eviction and holding

auctions of attached properties. To prevent individuals/firms/companies who are aggrieved upon receipt of notices contemplating demolition/eviction and/or holding auctions of attached properties and are left with no option but to rush to Courts, we suggest to the Commissioner of the Municipal Corporation of Greater Mumbai as well as all Municipal Commissioners of all the Municipal Corporations in Maharashtra to consider issuing a general directive not to demolish, evict and/or hold auctions of attached properties for a specified period with a caveat that if the Corporations in some extra ordinary cases, for compelling reasons are required to do so, they shall be at liberty to move the appropriate courts and obtain necessary orders.

5. A copy of this order shall be forthwith forwarded to the Municipal Commissioners of the Corporations, by hand delivery, by the Advocate for the Petitioners.

6. Stand over to 31st March, 2020.

(R.I. CHAGLA, J.)

(S.J.KATHAWALLA, J.)