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

PUBLIC INTEREST LITIGATION NO. 155 OF 2011

Suswarajya Foundation, Satara & Anr.

...Petitioners

Versus

The Collector, Satara & Anr.

...Respondents

WITH

PUBLIC INTEREST LITIGATION NO. 25 OF 2013

WITH

PUBLIC INTEREST LITIGATION NO. 45 OF 2009

WITH

PUBLIC INTEREST LITIGATION NO. 77 OF 2014

WITH

PUBLIC INTEREST LITIGATION NO. 78 OF 2008

WITH

PUBLIC INTEREST LITIGATION NO. 136 OF 2009

WITH

PUBLIC INTEREST LITIGATION NO. 249 OF 2014

AND

ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO. 37 OF 2010

Janhit Manch & 2 Ors.

...Petitioners

Versus

Brihanmumbai Municipal Corporation & 16 Ors.

...Respondents.

WITH

(SUO MOTO) CONTEMPT PETITION NO.11 OF 2016

IN

PUBLIC INTEREST LITIGATION NO.155 OF 2011

High Court on its Own Motion

... Petitioner

Versus

Mr. Ashish Shelar and Ors.

... Respondents

PIL/155 of 2011

Mr. Uday P. Warunjikar for the Petitioners.

Mrs. M.P. Thakur AGP for the Respondent No.1.

Mr. Mahesh Rawool i/by Mr. P.B. Shah for the Respondent No.2.

Mr. Vaibhav P. Patankar for the Respondent No.3.

Mr. Aniruddha Arun Garge for the Respondent Nos.4 and 69.

Mr. A.Y. Sakhare, Senior Counsel a/w Ms. Trupti Puranik for the Respondent No.5.

Mr. A.P. Kulkarni for the Respondent Nos.6 and 8.

Mr. Pramod Gokul Kathane for the Respondent No.7.

Mr. Ratnesh Dube i/by Mrs. Rutuja A. Ambekar for the Respondent No.8.

Mr. N.R. Bubna for the Respondent Nos.9 and 17.

Mr. Shriram S. Kulkarni for the Respondent No.10.

Mr. G.H. Keluskar for Respondent No.16.

Mr. Wasim Samlewale i/by Mr. Umesh R. Mankapure for Respondent No.15.

Mr. Yuvraj P. Narvankar for the Respondent No.25.

Mr. Ajit Hon i/by Ashwin V. Hon for Respondent No.21.

Mr. Sandesh Patil i/by Mr. Anil D. Yadav for the Respondent No.27.

Mr. Dinesh Pandurang Adgule for the Badlapur Municipal Corporation.

Mr. Sameer Kumbhakoni for the Respondent No.13.

Mr. Vishesh Kalra and Suchi Chakrabarti i/by M/s. Vidhi Partners for the Respondent No.31.

Mr. Ajay David for the Respondent No.19.

Mr. Vaibhav A. Sugelare, for the Respondent No.14.

Mr. B.M. Barve for the Respondent No.30.

Mr. Pankaj Pandey i/by Mr. Jitendra Gaikwad for Jalgaon Municipal Corporation.

Mr. Shailesh A. Sahu i/by M.I. Dhabale for Chandrapur Municipal Corporation.

Mr. A.S. Rao for the Respondent No.11.

PIL/25/2013

None for the Petitioner.

Ms. Prachi Sawant i/by M/s. M.V. Kini & Co. for Respondent Nos.2.

PIL/45/2009

None for the Petitioner.

Mrs. M.P. Thakur, AGP for the Respondent Nos.1, 3 and 4.

PIL/77/2014

Mr. Kanizz Munjee i/by S. Mahomedbhai & Co. for the Petitioner.

Mrs. M.P. Thakur, AGP for the Respondent Nos.1, 5 and 7.

Mr. Vaibhav P. Palankar for the Respondent Nos.2 and 3.

PIL/78/2008

None for the Petitioners.

Mrs. M.P. Thakur, AGP for the Respondent Nos.1, 2 and 9.

Mr. A.A. Garge for the Respondent No.6.

Mr. M.S. Bhardwaj & Mrs. S.V. Bharucha for the U.O.I.

PIL/136/2009

Mr. Sagar Joshi for the Petitioner.

Mr. N.R. Bubna for the Respondent No.1.

Mrs. M.P. Thakur, AGP for the Respondent No.2.

PIL/249/2014

Mr. Ravindra S. Pachundkar for the Petitioners.

CP/11/2016

Mr. S.G. Karandikar for the Respondent Nos.10 to 15.

PIL/37 OF 2010

Mr. Bhagwanji Rayani - Petitioner in person present.

Mr. A.Y. Sakhare, Senior Counsel a/w Ms. Trupti Puranik for the Respondent Nos.1 and 2.

Ms. Geeta Shastri, Additional Government Pleader for the Respondent Nos. 3 to 5.

Ms. Hina P. Shah for the Respondent Nos.7 and 9.

Mr. Sayaji Dadu Nangre for the Respondent Nos.10 and 16.

Mr. Amarendra Mishra for the Respondent No.11.

Mr. Rajesh J. Singh i/by Legal Liaisons for the Respondent No.12.

Ms. Yashree A. Sutrale for the Respondent No.24.

Mr. S.N. Karandikar for the Respondent Nos.10 to 15 in S.C. Notice No.9 of 2016 and 11 of 2016.

Mr. S.N. Gegpurkar for the Respondent Nos.3, 4, 6, 7, 8 and 9 in S.C. Notice No.9 of 2016.

Mr. Vishwajit P. Sawant i/by Prabhakar Jadhav for Shivsena.

**CORAM : A.S. OKA &
C.V. BHADANG, JJ.**

DATE : 15th JANUARY, 2016

PC.

1. In terms of the directions issued by this Court earlier, the Kolhapur Municipal Corporation, the Akola Municipal Corporation, the Parbhani Municipal Corporation and the Nanded Municipal Corporation have not filed affidavits of compliance. Accordingly, we direct that notices be issued to the Commissioners of the said Municipal Corporations calling upon them to show cause as to why action under

the Contempt of Courts Act, 1971 should not be initiated against them. We have perused the chart showing the details of the compliances made by the 10 Municipal Corporations on the basis of the affidavits filed by the said Municipal Corporations. Out of the said 10 Municipal Corporations, the Nashik Municipal Corporation, the Thane Municipal Corporation and the Pimpri and Chinchwad Municipal Corporation have made substantial compliance of this Court's directions. However, the Solapur Municipal Corporation, the Pune Municipal Corporation, the Navi Mumbai Municipal Corporation, the Sangli Miraj Kupwad Municipal Corporation, the Bhiwandi - Nizampur Municipal Corporation, the Malegaon Municipal Corporation and the Ahmednagar Municipal Corporation have not made full compliance. Hence, we issue notice to the Commissioners of the said Municipal Corporations calling upon them to show cause as to why action under the Contempt of Courts Act, 1971 should not be initiated against them. Contempt notices issued to the Commissioners as aforesaid are made returnable on 18th February, 2016. All other Municipal Corporations which have filed affidavits till Thursday or have tendered affidavits till today shall ensure that the copies of the affidavits are served to the Advocate for the Petitioners in PIL No.155 of 2011.

2. The learned counsel appearing for the Petitioners in PIL

No.155 of 2011 has produced a compilation of reports submitted by the Court Commissioners. We direct him to supply copies of the compilations to the Advocates representing the concerned Municipal Corporations so that they can be heard on the next date.

3. As regards the contempt notices earlier issued to the contemnors, except Anjali Gurav and Shri Kedar Kulpe all other have been served with the notices. As far as Anjali Gurav is concerned, it is pointed out that the contemnor is Shri. Anaji Gurav. Accordingly, the order issuing contempt notice stands corrected. Shri. Anaji Gurav is represented by an Advocate and therefore, there is no question of issuing a notice to the said Shri Anaji Gurav. All the contemnors are granted time to file a reply till 10th February, 2016. No further time shall be granted. In the meanwhile, issue fresh notice to the contemnor Shri Kedar Kulpe. All the contempt notices issued earlier as well as contempt notices issued today will be heard on 18th February, 2016. For considering the compliances by rest of the Corporations, the Petitions shall be listed on 21st January, 2016 under the caption of "Directions".

(C.V. BHADANG, J)

(A.S. OKA, J)