

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL SIDE JURISDICTION

PIL WRIT PETITION NO. 904 OF 2005

Ehsanul Haque A Nadvi

..Petitioner

vs

Union of India and ors.

..Respondents

Mr Akhilesh Upadhya for the petitioners

Mr.Pradeep Jadhav, AGP, for respondent Nos 2, 4, and 5

Mr. B.A. Desai Addl Solicitor General with Rituja Ambekar with

Ms Bharti Mahant i/b Mr. Pankaj Kapoor

for respondent Nos.1 and 7

Mr K.K. Singhavi with Ms S.Ajitkumar for respondent No.6

Mr. G.D. Utangale i/b M/s Utangale & Co.for respondent No.3.

with

Writ Petition No. 123 of 2006

Gaydevi Durga Devasthan Trust.

.. Petitioners

vs

The Union of India and Ors.

..Respondents

Mr. C.U. Singh with Mr Rajan Jayakar i/b M/s Jayakars for the petitioners.

Mr. Pradeep Jadhav AGP for the respondent Nos 2 and 5.

Mr. B.A. Desai Addl Solicitor General with Ms B.L Mahant i/b Mr. Pankaj Kapoor for respondent Nos.1 and 3

Mr. J.B. Chinai i/b M/s A.V. Jain & Associates for respondent No.8

Mrs P.A.Purandhare for respondent No.4

**CORAM: SWATANTER KUMAR, C.J., &
S.C.DHARMADHIKARI, J.**

Dated: 7th June 2007

P.C.:

The learned counsel appearing for the respective respondents i.e. Corporation, State of Maharashtra and the Central Government state that they have instructions from their respective clients to inform the court that various steps are required to be taken to implement the decision of the authorities to declare the Gilbert Hill at Andheri, Mumbai as protected monument as well as heritage structure and prayed for time in that behalf.

The learned counsel for the petitioners relied upon page 44 of writ petition No 123 of 2006 to contend that probably in September 1952 this hill was declared as a National Park and respondents should be directed to place on record the correct position in that behalf. Let the needful be done by the authorities and appropriate affidavits annexed with requisite documents be filed within four weeks from today.

In the meanwhile we direct that no development activities would be carried on the land bearing CTS No.250 part, 251 part and

254 part of village Andheri, Mumbai as noticed in the order dated 6.6.2007 issued by the Corporation. The said order and the plan-map have been placed on record and marked "X" for identification. Liberty to the petitioner to file rejoinder, if any, thereto.

List the matter on 5th July 2007.

CHIEF JUSTICE

S.C.DHARMADHIKARI, J.