PALLAVI MAHENDRA WARGAONKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.17200 OF 2026

Garib Nagar Rahiwasi Welfare Sangh Society ...Petitioner.

Versus

Union of India & Ors. ...Respondents.

Mr Rajesh P Khobragade for the Petitioner.

Mr Aayush Kedia a/w Railway Officer Aashish Yadav and Mr Surendra Kumar for Respondent Nos.1, 2 and 7.

Mrs Jyoti Chavan, Addl. GP a/w Mrs Usha Rahi, AGP for the State/ Respondent Nos.8 to 10.

CORAM : ADVAIT M. SETHNA &
SANDESH D. PATIL, JJ.

DATE : 15 MAY 2026
(VACATION COURT)

P.C.:

1. Heard learned Counsel for the parties.

2. Issue Notice returnable on 16.06.2026.

3. At this stage, Respondents seek leave to file Affidavit-in-Reply. Let such Reply Affidavits be filed by the Respondents, on or before the adjourned date, with an advance copy to the learned Counsel for the Petitioner.

4. Our attention is invited to the order dated 29.4.2026 which reads

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thus :

> *"1. Leave to amend to annex all the necessary and relevant documents granted. Amendment be carried out within a period of two weeks from today.*
> *2. As far as the demolition drive of all the unauthorised and illegal structures by the Railway is concerned, we permit the Railway Authorities to continue with their demolition drive. However the interest of slum dwellers identified as eligible from the first survey dated 10th August, 2021 and second survey dated 11th August 2021 must be adequately protected.*
> *3. Stand over to 8th July, 2026."*

5. The order is clear and self explanatory, in as much as, it categorically records that, the interest of the slum dwellers as eligible from the first survey dated 10.08.2021 and second 11.08.2021 must be adequately protected.

6. At this stage, the learned Counsel for the Respondent/Railways, on instructions, would state that there are about 100 protected structures which would remain unaffected. Such statement which is recorded on instructions, is accepted.

7. Needless to mention that, any action taken by the Respondents over and above these structures shall be undertaken after following due process and in accordance with the law.

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8. We clarify that as far as demolition, if any, has been undertaken or is in progress for unauthorised structures will not be affected by this order which shall be carried out by the said Respondents, in acordance with law.

9. All parties to act on an authenticated copy of this order.

[SANDESH D. PATIL, J] [ADVAIT M. SETHNA, J.]

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