

# HC quashes BMC order for possession of SoBo park land

Swati Deshpandel TNN | Updated: May 4, 2018, 06:38 IST



A-

A+



Representative image

MUMBAI: The Bombay high court on Thursday quashed a civic order which had demanded immediate possession of Priyadarshini Park (PDP) land from Malabar Hill Citizens' Forum. The court essentially held that the order appeared to be passed without following proper legal process and directed the civic body to take steps "in accordance with law" in case it wanted to take possession.

A deputy municipal commissioner, K N Kshirsagar, had, last April, after a hearing, ordered the civic gardens superintendent to take over possession of the land.

BMC counsel Anil Sakhare said the civic body had terminated the licence given to PDP as there were violations of its 1987 leave and licence agreement and, hence, the order was justified.



Daily-wager who cannot Afford a meal  
Fights to save wife!

Milaap



Top 5 Online Casino Where Playing Is The  
Most Fun

The Dudes.Club for Online Casinos

Recommended By Colombia

The Forum, through its president B A Desai, had moved the HC to challenge the legality of the DMC's order.



HC quashes BMC  
order for possession  
of SoBo park land



Spell out nullah  
cleaning, S'cruz  
pumping stn plans:



State to probe Dadar  
school's plan to shift  
to ICSE board



Compensate dairy  
farmers or face  
action: CM to milk co-

Shyam Mehta, counsel for PDP, said the DMC's April 2017 order was "a predetermined one" and the "hearing was just an empty formality." Mehta pointed out that in December 2016, civic chief Ajoy Mehta had, in a "file noting", stated: "Have we taken over PDP? Please initiate taking over and complete as per law and report compliance."

The HC appeared to accept the forum's argument and directed that if the BMC wants to take back possession, it has to "follow due process of law."

The MCF has developed the park and has been maintaining it since 1985. The BMC had alleged the Forum had "commercialized" activities at the park in breach of licence conditions. But the Forum had denied it.