



## Bombay high court raps civic body for taking over Priyadarshini park

The Bombay high court on Friday told the Brihanmumbai Municipal Corporation (BMC) that it had breached its contract with Malabar Hill Citizens Forum by entering Priyadarshini Park.

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**ht** HT Correspondent  
Hindustan Times



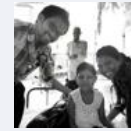
The 20-acre park is maintained by the Malabar Hill Citizens Forum.(HT file photo)

**f** The Bombay high court on Friday told the Brihanmumbai Municipal Corporation (BMC) that it had breached its contract with Malabar Hill Citizens Forum by entering Priyadarshini Park at Napean Sea Road and parking a fire engine without obtaining legal possession from the Forum, which maintains the 20-acre-ground.

**t** The division bench of justice Abhay Oka and justice PN Deshmukh was hearing a petition filed by the Forum after a fire tender was seen stationed in the park premises.

**in** The BMC responded to the complaints by stating that since there is no fire station in the vicinity, fire tenders have to travel from Gowalia Tank to reach Malabar Hill, which takes about 40 minutes.

**G+** The Malabar Hill Citizens Forum has challenged the BMC's recent policy under which, the civic body has decided to take over all



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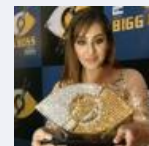
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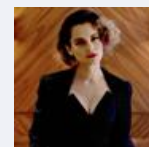
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public parks, gardens, and playgrounds entrusted to private entities for maintenance.

The bench said that if the civic body wishes to enter the ground, it can do so by exercising statutory powers to evict the Forum by following due procedure of law.

Senior advocate Jokim Reis, representing the BMC, evoked section 105(B) of the Mumbai Municipal Corporation Act, 1888, which empowers the corporation to evict persons from civic properties.

The high court has directed the civic body to reconsider whether it wants to apply section 105(B) and inform the court on Tuesday.



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