



Bombay high court rejects civic body's plea for fire station at Priyadarshini Park

The 20-acre ground was handed over to the Malabar Hill Citizen's Forum for maintenance under a leave and license agreement by the civic body in 1989.

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Hindustan Times



Fire officials inspect the area after removal of the fire truck and demolition of the shed at Priyadarshini park(HT file photo)



The Bombay high court on Wednesday rejected the civic body's plea seeking permission to park a fire engine at Priyadarshini Park at Napean Sea Road.



The division bench of Justice Abhay Oka and Justice PN Deshmukh held that the civic body's actions last year of constructing a shed on a part of the ground and parking a fire engine there was "completely illegal" and "high handed."

The 20-acre ground was handed over to the Malabar Hill Citizen's Forum for maintenance under a leave and license agreement by the civic body in 1989.



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In April last year, the gardens superintendent of the BMC issued a termination notice, claiming that the Forum had breached conditions of the license and the BMC sought to take back possession of the ground. In June, a shed was constructed and a fire brigade was parked under it.

The Forum then approached the high court, challenging the termination of license and complaining about the presence of the fire brigade.

Although the fire engine was subsequently removed, the fire brigade filed a fresh plea seeking permission to park a fire engine at the ground.

The civic body contended that the leave and license agreement did not create any right, title or interest in favour of the Forum, and therefore the fire brigade could not have been prevented from entering the premise.

The bench, however, upheld its verdict. It added that even if the BMC's claim of terminating the agreement was accepted, the termination could have taken effect only after July 16, 2017, three months after the issuance of the notice.

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