

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SUO MOTU PUBLIC INTEREST LITIGATION
NO. 1 OF 2021**

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A. A. SAYED
HON'BLE MR. JUSTICE S. S. SHINDE
HON'BLE MR. JUSTICE PRASANNA B. VARALE**

Court On its Own Motion

Re: Matters wherein interim orders have been passed by the High Court of Bombay at its Principal Seat, and the Benches at Nagpur and Aurangabad, the High Court of Bombay at Goa, and the courts/tribunals subordinate to it including the courts/tribunals in the Union Territory of Dadra and Nagar Haveli, and Daman and Diu, during the second wave of the pandemic arising out of COVID-19 virus and for extending protection to those who are disabled to access justice because of the restricted functioning of courts/tribunals.

Mr. A. A. Kumbhakoni, Advocate General with Mr. P. P. Kakade, Government Pleader & Mr. M. M. Pable, AGP for State.

**ORDER
(JUNE 11, 2021)**

1. The Administrative Committee of this Court, *inter alia*, upon perusal of Government Order dated June 4, 2021 issued by the Chief Secretary to the Government of Maharashtra on

“Levels of Restrictions for Breaking the Chain”, has considered it appropriate to continue with virtual hearings in connection with judicial proceedings at the Principal Seat at Mumbai, the Benches at Aurangabad and Nagpur as well as at the High Court of Bombay at Goa, by its resolution dated June 8, 2021. By the same resolution, normal functioning of Courts has been permitted in certain districts which are included in Level-1, as envisaged in such Government Order. However, since there are still certain restrictions on travel and on the whole, it is felt that access to the courts is still not free from impediments.

2. Taking an overall view of the matter, which tends to suggest that resumption of physical hearings in all the Courts across Maharashtra is still at some distance, the protection granted by the interim orders passed on this PIL stands extended till July 9, 2021 or until further orders whichever is earlier, on the same terms.

3. We propose to assemble next on **July 5, 2021** after the Administrative Committee considers the situation arising out of the pandemic as on July 1, 2021, and takes further decision with regard to functioning of Courts.

4. In the recent past, the media has reported incidents of building collapses leading to loss of precious lives. We make it abundantly clear that if indeed there are buildings/structures which are either dilapidated or dangerous/unsafe requiring immediate demolition and vacation thereof by its inhabitants, the particular Municipal Corporation/Municipal

Council/Panchayat/Local Body within whose territorial limits such buildings/structures are located, may, considering the imminent need to have such buildings/structures vacated and demolished, bring the particular instance to the notice of the relevant Division Bench in *seisin* of Suo Motu Public Interest Litigation No. 1 of 2020 (**High Court on its own Motion vs. Bhiwandi Nizampur Municipal Corporation & Ors.**) and seek appropriate orders for proceeding with the demolition process to take it to its logical conclusion.

CHIEF JUSTICE

JUSTICE A. A. SAYED

JUSTICE S. S. SHINDE

JUSTICE PRASANNA B. VARALE