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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PIL-CJ-LD-VC- 3 OF 2020

Sharada Tevar
v/s
State of Maharashtra & MCGM

...Petitioner

...Respondents

Ms.Ronita Bhattacharya Bector for the Petitioner.
Mr.A.A.Kumbhakoni, A.G. with Ms.Puirnima Kantharia, GP and Ms.Geeta Shastri,
Addl.G.P. for State.
Mr.A.Y.Sakhare, Sr.Counsel with Ms.Yamuna Parekh for the Respondent._MCGM.

CORAM: DIPANKAR DATTA, CJ. &

A. A. SAYED, J.

MAY 15, 2020.

P.C.:

The question involved in this PIL Petition is whether vacant tenements in Mahul can be used by the respondents for quarantine of suspected COVID-19 patients.

2. Counter affidavit of the Corporation of Gr.Mumbai is taken on record. In paragraph 10 of the affidavit, it has been pleaded that process of quarantine facility at Mahul would be utilized only as a last resort, in the event of rise in number of Covid-19 positive cases and other quarantine facilities are not available.

3. Having regard to the pleadings in the PIL Petition and particularly bearing in mind the orders of this Court passed in earlier proceedings, qua the facility at Mahul, we

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are of the considered opinion that if at all the situation in future demands such quarantining at Mahul, as canvassed in this PIL Petition, the Corporation ought not to do so without obtaining our prior leave. It is ordered accordingly.

4. The Petitioner shall be at liberty to file her rejoinder within 10 days. The PIL Petition shall stand de-listed for the present with liberty to the parties to mention the same for further consideration as and when the occasion so arises.

5. This order will be digitally signed by the Sr.Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

A. A. SAYED, J.

CHIEF JUSTICE