

ITEM NO.301

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Suo Moto Writ (C) No(s). 5/2024

IN RE: HERITAGE BUILDING OF THE BOMBAY HIGH COURT AND ALLOTMENT
OF ADDITIONAL LANDS FOR THE HIGH COURT

Date : 15-07-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) By Courts Motion

For Respondent(s)

State of Maharashtra Dr. Birendra Saraf, Adv.Gen.

High Court Mr. Sandeep Sudhakar Deshmukh, AOR

Bombay Bar Ass. Mr. Nitin Thakker, Sr. Adv.
Mr. Shyam Mehta, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Ankur Saigal, Adv.
Ms. S. Lakshmi Iyer, Adv.
Mr. E.C. Agrawala, AOR

AAWI Mr. Prakash D. Naik, Adv.
Ms. Prachi Tatke, Adv.
Mr. Prashant Relekar, Adv.
Mr. Yadunath Chaudhary, Adv.
Mr. Aman Vachher, Adv.
Mr. Nitin Gangal, Adv.
Mr. Vikram N. Walawalkar, Adv.

BILS Ms. Ferzana Behramkamdin, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 We have heard Dr Birendra Saraf, Advocate General appearing on behalf of the State of Maharashtra and Mr R N Joshi, Registrar General of the High Court of Judicature at Bombay. The Bombay Bar Association (BBA) has been represented by Mr Nitin Thakker, senior counsel. Mr Prakash D Naik and Ms Prachi Tatke, appeared for Advocates Association of Western India (AAWI). Ms Ferzana Behramkamdin appeared for the Bombay Incorporated Law Society (BILS).

- 2 On 8 July 2024, an internal meeting was convened by the Judges Committee of the High Court monitoring the construction of the new premises of the High Court at Bandra Kurla. On 9 July 2024, a meeting was convened in which all stake holders participated.

- 3 The position as explained by the Advocate General and Mr R N Joshi, Registrar General, is as follows:
 - (i) By 10 September 2024, a contiguous area of 4.39 acres at Bandra Kurla would be handed over by the State Government;

 - (ii) The State Government has indicated time lines for handing over the balance of the area admeasuring 31.16 acres (after accounting for 4.39 acres to be handed over in terms of (i) above) in a colour coded plan. The Advocate General has stated that copies of the plan would be shared with the Presidents of the three Bar Associations for information;

- (iii) The State Government has suggested the names of eight architects. A meeting shall be convened by the High Court with the eight architects, so suggested, so as to apprise them of the requirements of the High Court, after which an opportunity would be given to them to make the presentations. The State Government thereafter proposes to invite expressions of interest; and

- (iv) The position in regard to alternate premises for the High Court, in the meantime, is as follows:
 - (a) Maharashtra Public Service Commission (MPSC) has vacated the premises which were leased out by Bank of India to the State Government and its documentary record will also be removed from the premises by the end of July 2024. Since there is already an existing agreement between the Government of Maharashtra and Bank of India in respect of the premises, possession of the premises would be immediately handed over to the High Court after they are vacated by MPSC. Suitable work of repair would be carried out so as to facilitate occupation by the High Court;

 - (b) In respect of the premises of MTNL, a leave and license agreement has been executed between the High Court and MTNL. Renovations would be carried out. PWD has to submit the estimates to the Committee of the High Court;

 - (c) As regards the premises of the Central Telegraph Office, the structural audit report by Veermata Jijabai Technological Institute (VJTI) is expected to be ready within a week, after which a decision

will be taken on the handing over of the possession considering the structural audit.

- 4 In view of the above developments, we now direct that the proceedings be listed before this Court for further hearing on 22 August 2024.
- 5 The Chief Justice of the High Court would be at liberty to convene meetings and to ensure that due monitoring of the project is carried out continuously by the Committee of the High Court.

(SANJAY KUMAR-I)
ADDITIONAL REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR