



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 702 OF 2023

Paromita Puthran ... Petitioner
Versus
The Municipal Corporation Of
Greater Mumbai & Ors. ...Respondent

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Mr. Gauraj Shah a/w Nishad Nevgi, Anjali Malekar i/b Samaa Shah for the Petitioner.

Ms. Pooja Yadav for MCGM.

Mr. Manish Upadhye, AGP for State/Respondent Nos.8, 10 to 14.

Ms. Nidhi Dotiye for Respondent Nos.15 to 17.

Mr. Jamil Khan a/w Vibha Mishra for Respondent No.7.

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CORAM : G. S. KULKARNI &
R. N. LADDHA, JJ.
DATE : 28 MARCH, 2023

P.C. :-

1. Considering the facts and circumstances of the present case and after hearing learned counsel for the parties, yesterday, we had passed an ad-interim order. On the backdrop of the said order we have heard learned counsel for the parties.

2. From what has been argued before us today, it appears that the immediate concern of the petitioner is in regard to a designated place/area where the dogs in the Society can be fed. It is the Society's concern that the dogs ought not to be fed at the parking area. Mr. Shah learned counsel for the petitioner, would suggest that the feeding area can be the "duct areas of

the A, B & C wings”, one of which according to him can even be considered to be designated as the feeding place. He submits that at such place, the Society needs to permit the petitioner to feed these dogs.

3. In our opinion, it is for the society to consider such suggestion being made by the petitioner. In the meantime, if the place suggested by the petitioner is a suitable place, to feed the dogs, than the parking area, it is for the society to take an appropriate decision so as to permit the petitioner to feed the dogs at a suitable place.

4. Considering the peculiar facts of the case, it is for the petitioner and the managing committee of the Society to sit across and resolve the issues in regard to the designated feeding place for the dogs as the statutory rules would mandate and in the light of the observations made by us in our earlier order.

5. Let all these issues be resolved on or before the adjourned date of hearing. We expect that the parties with an appropriate spirit of cooperation and without any adversarial interest make an endeavour to amicably resolve all the issues.

6. Reply affidavit if any be placed on record on or before the adjourned dated of hearing.

7. We permit Mr. Abodh Aras who was appointed by the coordinate Bench of this Court, to guide the parties to resolve the issues including in

regard to an appropriate feeding area to be designated, as also on the other issues concerning the welfare of these animals.

8. Learned counsel for the society states that the society shall no more employ any bouncers. Statement is accepted.

9. Accordingly we adjourned the proceeding to **6 April 2023 (HOB)**.

(R. N. LADDHA, J.)

(G. S. KULKARNI, J.)