

Court ruling renders several Mumbai buildings illegal

In what could render 150,000 flat owners homeless, the Bombay High Court Monday ruled as 'illegal' all buildings constructed on a piece of the city's 120-acre land that falls under the category of forestland.

A division bench of Chief Justice Swatenter Kumar and Justice S.C. Dharmadhikari held the construction of several buildings in the suburbs of Bhandup, Mulund, Borivli, Dahisar and the Thane belt as illegal.

However, the Maharashtra government Monday evening assured residents of those areas that are affected by the ruling that they would not be directed to evacuate immediately and steps will be taken to ensure that the forestland is regularized.

The judgement was pronounced by the high court on a clutch of petitions filed in 2006 by [Mumbai](#) realty developers challenging the state government's declaration that turned the already developed land into forestland.

Between January 2006 and May 2006, the government declared as forestland several acres of land belonging to the Bhabha Atomic Research Centre (BARC) in the eastern suburbs, the Film City in Goregaon in the western suburbs and several acres in Borivli, Dahisar and Ghodbunder Road in adjoining Thane district.

The petitioners contended they had acquired requisite permissions before engaging in construction activities. However, in the first half of 2006, they were told that their buildings were illegal as they now stood on land that had been declared as forestland.

The petitioners included several leading builders including Oberoi Constructions, Runwal Constructions, Atithi Builders and Nirmal Developers.

Darius Khambatta, advocate for one of the petitioners, told IANS: 'It was because of an earlier high court order stipulating that records of land reserved for forests must be updated that the state government, in 2005, issued a notification to make necessary changes in the land listing.'

Following this, the builders approached the high court which granted them interim protection, permitting them to construct but subject to the final decision of the matter.

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