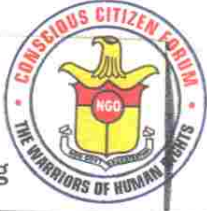




CONSCIOUS CITIZEN FORUM

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Date : 30/04/2013

To
His Excellency Hon'ble President of India
Rashtrapati Bhavan,
New Delhi – 110 001.

Subject : Mercy Petition to the innocent residents of Campa Cola compound, Worli, Mumbai (Maharashtra) submitted on humanitarian ground.

Respected Sir,

On 27th February 2013 Hon'ble Supreme Court has given the verdict in Campa Cola Compound case of Worli, Mumbai that the illegally constructed portion i.e. few upper floors are to be demolished.

In this context, the residents of the affected premises of the said building approached to our NGO and asked us to put their humble request before Your Honour on behalf of them to kindly peruse and consider their case in sympathetic manner as follows :

The cause of action first arose when the Mumbai Mahanagar Palika gave notice of demolition of upper illegal floors and gave instructions to vacate the residential premises of residents of the said building within 48 hours which is against humanity on the grounds as elaborated under :-

1 The said building is constructed before 25 years. The affected residents have not encroached the residential flats in the said building. The affected residents comprise of 140 families have occupied the flats in the said building by purchasing it lawfully from the builder with documentation.

2 The local bodies like Mumbai Mahanagar Palika is recovering legitimate tax by the affected resident families. The Stamp

duty was also recovered by the Land Revenue Department of State Government while purchasing the said flat. The most prominent thing is that – even after releasing verdict of Hon. Supreme Court for demolition, the Mumbai Mahanagar Palika has collected tax from the said affected residents in the month of March 2013.

3. Besides all above tax aspects, the affected residents are having many more evidences that they have right to occupy the residential premises in the said building.

4. The families are having school going and college going children and if the residents are forced to vacate the students shall not be able to appear for on going exams. It will affect their academic education and career. Besides this, many senior citizens staying in these families are patient of severe disease and undergoing medical ailment. In such situation if these families are vacated, it will be against humanity. Within 48 hours searching for alternative shelter is not practically possible.

5. The residents in this building are middle class families and they have purchased the residential flats with the hard earned money. The affected residents are victims and they are not culprits.

Technical ground for mercy to the affected residents.

- a) In Mumbai the illegal slums erected prior to year 1995 have been legalised and they have been provided alternative accommodation by Government itself. The principle of right to equality may kindly be applied in Worli case also on the same ground as the said building is also constructed before 1995 in Worli Mumbai.
- b) In Ulhasnagar, District – Thane in Maharashtra State large number of illegally constructed residential premises have been legalized at a stake by the Government on humanitarian ground and to save large number of affected people from being shelter less.

- c) In explosive stamp scam took place in Maharashtra State by Telgi wherein so many dignitaries were involved, the Government has taken salutary action in the interest of large number of affected people and the said duplicate stamps were legalised. The office of the Hon. President of India has performed major role in giving relief to the affected citizens.
- d) In the recent Chit Fund scam took place in Kalkutta West Bengal, State Government has declared package of 500 crores to the large number of affected people who bear huge loss in this Chit Fund.
- d) In the said Order of Hon. Supreme Court of India specific time to vacate the premises of said Worli Mumbai base building, has not been particularly mentioned. No where the time limit of 48 hours has been cited in the said Court order.

Request for mercy for reconsidering the time duration of 48 hours given by Mumbai Municipal Corporation on following grounds :-

- a) In the recent Bomb blast case wherein Sanjay Datt Film actor and others got relief by Hon. Supreme Court of India even after issuing sentence of punishment. On the mercy petition made by these culprits, the Hon. Supreme Court pleased to grant extension of time to them.

Sir, the affected residents of the said building have filed Review Petition in the Hon. Supreme Court and the said Review Petition is still pending with the Court. **Till finalization of this Review Petition, the demolition may not be undertaken. So also no any other action be taken by the local body / State Govt.**

Taking into consideration the interest of large number of affected people residing in the said building Your Honour be pleased to give mercy and atleast the extension of time may kindly be granted.

In this context, Your Honour is earnestly requested to kindly save the affected residents from being shelter less and allow them to avail fundamental right as envisaged in Constitution of India i.e. Right to Live.

This NGO and the affected citizens of this nation shall be ever grateful to your worship for this act of kindness.

With profound regards,

Yours Sincerely,



(K. Kumar)

- Encl. – 1) Copy of Order of Hon.
Supreme Court of India.
2) Copy of Vacate Notice issued by
Mumbai Mahanagar Palika.

Copy submitted to :

- 1 Hon. Governor of Maharashtra, Mumbai.
- 2 The Chief Justice of Hon. Supreme Court of India, New Delhi.
- 3 Hon. Chief Justice of High Court, Mumbai.
- 4 The National Human Right Commission, New Delhi.
- 5 The State Human Right Commission, Maharashtra, Mumbai.
- 6 Hon. Chief Minister of Maharashtra, Mumbai.
- 7 Hon. Commissioner of Mumbai Municipal Corporation, Mumbai-1.