

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1372 OF 2015

Mr. Prahlad Yamraj Pawar & ors. .. Petitioners
vs.
State of Maharashtra & ors. .. Respondents

Mr.S.K. Chaurasia i/b SKC Legal for the Petitioners.
Ms Aparna Vhatkar, AGP for Respondent No.1(a)
Ms Kiran Bhagalia for Respondent No.1(b)/MMRDA

CORAM : M. S. SONAK, J.
DATE : 12 FEBRUARY, 2015.

P.C. :-

1] In pursuance of the order made on 10 February 2015, the petitioner is granted to leave to transpose respondent No.2 to 19 as petitioners in the present petition. Learned counsel files Vakalatnama on behalf of all of them, except original respondent Nos.12 and 18. Learned counsel however, undertakes to file Vakalatnama on behalf of original respondent Nos.12 and 18, within a period of two weeks from today. Amendment to the cause title to be carried out forthwith.

2] The issue in this petition is really whether the petitioners, including the ones, now permitted to be transposed as such, are eligible to seek rehabilitation. Respondent No.1(a) has already called upon the petitioners to produce the documents in order to

ascertain their eligibility. Learned counsel for the petitioners submits that such documents have been produced before the Respondent No.1(a).

3] In this view of the matter, respondent No.1(a) is directed to decide the eligibility of the petitioners, including the ones, now permitted to be transposed as such, within a period of three months from today.

4] It is once again clarified that pending such decision or otherwise, there shall be no bar to respondent No.1(b) to proceed with its action of demolition of the petitioners' alleged structures and proceeding with the project concerning the Mithi River.

5] The petitioners or their representatives to appear before the respondent No.1(a) on 24 February 2015 at 11.00 a.m., alongwith an authenticated copy of this order for obtaining directions in the matter of disposal of the proceedings to ascertain their eligibility.

6] With the aforesaid directions, this petition is disposed of. No order as to costs.

7] Parties to act upon an authenticated copy of this order.

(M. S. SONAK, J.)