

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4892 OF 2015

Shri. Premji Sojpar Gada

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Ms. Nilam S. Pawar, for the Petitioner.

**Mr. P. K. Dhakephalkar, Senior Advocate a/w Mr. Ajit N. Zakhadi i/by
Mr. R. P. Ojha, for the Respondent No.6.**

Mr. J. G. Reddy, for the Respondent Nos.2 & 3.

Mr. S. P. Shukla, for the Respondent No.7.

CORAM : R.M. SAVANT, J.

DATE : 23rd JUNE, 2015

P.C.

1. The order dated 18.05.2015 passed by the Additional Collector (Encroachment/Removal), Western Suburbs rejecting the Appeal filed by the Petitioner and thereby confirming the order dated 07.02.2015 passed by the Deputy Collector (Encroachment/Removal) is taken exception to by way of the above Petition.

2. The Petitioner seeks to challenge the said order of eviction on the ground that the land on which the Petitioner's structure is situated does not fall within the area declared as slum. The Petitioner therefore has challenged the letter of intent issued to the Respondent Nos.6 and 7 on

the said ground. The Learned Counsel appearing for the Petitioner Ms. Nilam S. Pawar states that the High Power Committee is ceased with the proceedings filed by the Petitioner, and that a Division Bench of this Court has directed the proceedings to be disposed of within four weeks and that the said proceedings have been adjourned for a period of two weeks. The Learned Senior Counsel appearing for the Respondent Nos.6 states that before the High Power Committee it is agreed that the Petitioner's structure would not be dealt with pending consideration of the said proceedings. The Learned Senior Counsel on instructions of the advocate on record Mr. R. P. Ojha makes a statement that till such time that the High Power Committee decides the proceedings pending before it filed by the Petitioner the impugned order that is the order of eviction would not be given effect to. The Learned Counsel for the Petitioner is satisfied with the said statement made by the Learned Senior Counsel. The said statement is accordingly accepted by this Court. In view of the said statement and having regard to the fact that the Petitioner is protected pending the said proceedings before the High Power Committee, the Petition to stand disposed of. Needless to state that the High Power Committee to decide the said proceedings on their own merits and in accordance with law.

[R.M. SAVANT, J]