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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10584 OF 2013

Mr. Hamid Hussain @ Hanif Navibaksha Shaikh Versus Deputy Commissioner (Slum Improvement) and Ors.	... Petitioner ... Respondents
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Mr. Daulat G. Khamkar, for the Petitioner.
Mr. Abhijit Purushottam Kulkarni, for the Respondent Nos.1 and 2.
Mr. V.P. Malvankar, AGP 'A' Panel, for Respondent No.3.

**CORAM : A.S. OKA &
V.L. ACHLIYA, JJ.**

DATE : 2nd SEPTEMBER, 2015

PC.

. Heard the learned counsel appearing for the Petitioner and the learned counsel appearing for the first and second Respondents. The grievance of the Petitioner is that though he is in possession of the room described in paragraph 2 of the Petition, a photo-pass has been issued in respect of the said room in the name of someone else though he was entitled to a photo-pass. He claims that the land on which the said room is situated has been declared as a slum in the year 2003 under the provisions of the Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971.

2. A photo-pass under clause (b) of Section 3X of the said Act, 1971 can be issued in terms of Section 3Y by the State Government or any officer generally or specially authorised by the State Government in this behalf.

3. Therefore, the Petitioner will have to make an application to the appropriate officer who is empowered under Sub-section (1) of Section 3Y of the said Act of 1971 to issue a photo-pass.

4. By granting liberty to the Petitioner to make a fresh application for issue of photo-pass in accordance with Section 3Y of the said Act of 1971, we dispose of the Petition. If an application is made by the Petitioner to the authorised officer, the same shall be decided in accordance with law within a period of three months from the date on which the application is made. All contentions on merits are kept open.

(VL. ACHLIYA, J)

(A.S. OKA, J)

Certified to be true and correct copy of the original signed
Judgment/order.