

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1040 OF 2015

Mallika Bahadur Khan Pathan and Another. .. Petitioners
Vs
Slum Rehabilitation Authority and Others. .. Respondents
—
Shri Samir A. Vaidya for the Petitioners.
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CORAM : A.S. OKA & A.PBHANGALE, JJ
DATED : 9TH APRIL 2015

PC.

. There are two challenges in this Petition. The first challenge is to the Notification dated 3rd January 2014 and the second challenge is to the Show Cause Notice dated 19th November 2014. The Notification dated 3rd January 2014 is a declaration or an order under Sub-section (1) of Section 3C of the Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971. As stated in the same Notification, a remedy under Sub-section (2) of Section 3C is available to challenge the same. As far as the Notice dated 19th November 2014 is concerned, it is only a Show Cause Notice.

2. As an efficacious remedy is available under Sub-section (2) of Section 3C of the said Act, we decline to entertain this Petition under Article 226 of the Constitution of India. The Petition is disposed of.

However, we keep the remedies of the Petitioner open. All contentions of the Petitioner are kept open.

3. If an Appeal is preferred by the Petitioner, it is obvious that the concerned Authorities shall note that this Petition was filed on 24th December 2014 and the same remained pending in this Court till today.

(A.PBHANGALE, J)

(A.S. OKA, J)