

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1279 OF 2015

Omsingh Baru Rana
V/s

..... Petitioner

The State of Maharashtra & Ors.

..... Respondents

Ms. Asha C. Shah for Petitioner.

Mr. Amit Shastri, AGP for Respondent Nos.1 and 2/State.

Ms. K.H. Mastakar for Respondent No.3 Corporation.

Mr. Akhil Kupade i/b M/s. Utangale & Co. for Respondent No.4 SRA.

Ms. Rutuja Waingankar i/b Mr. R.B. Singhvi for Respondent No.6.

CORAM : A.A. SAYED, J.

DATED : 20 JULY 2015

P.C.

1 After hearing learned Counsel for the Petitioner and learned Counsel for the Respondent Corporation, I am inclined to remand the matter to the Respondent No.3 the Competent Authority & Assistant Commissioner, F/North Ward, Municipal Corporation of Greater Mumbai to consider the eligibility of the Petitioner afresh.

2 In the circumstances and in the interest of justice, I pass the following order:

- i) The impugned order dated 3 June 2013 is set aside.
- ii) The eligibility of the Petitioner shall be decided afresh by the Respondent No.3 Competent Authority cum Assistant Commissioner, F/North Ward without being influenced by the earlier orders.

3 Learned Counsel for the Petitioner states that the Petitioner shall appear before the Competent Authority cum Assistant Commissioner F/South Ward, on 3 August 2015 at 11 a.m. with all necessary documents alongwith forwarding letter and also copy of this order when necessary directions and date of hearing of the matter may be given.

3 Respondent No.3 Competent Authority cum Assistant Commissioner F/South Ward, also shall hear and decide the eligibility of the Petitioner afresh within a period of eight weeks from 3 August 2015.

4 The Petition is disposed of in the aforesaid terms.

(A.A. SAYED, J.)

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