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

WRIT PETITION No. 559 OF 2012

Siddharth Nagar Jenuma Co-Operative Housing Society Ltd. ... Petitioners

Vs.

The CEO, MHADA & Ors. ... Respondents

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Mr. Madhav Jamdar, for the Petitioners.

Mr. P. G. Lad, for Respondent Nos. 1 & 2.

Mr. Atul Damle, for Respondent No. 6

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CORAM : V. M. KANADE, &
B. P. COLABAWALLA, JJ.

DATE : AUGUST 4, 2015

PC.

1. The grievance of the Petitioners is that the land which is adjoining to the building owned by the Petitioner is being given to the Developer to whom already 40 acres of land has already been given by the MHADA. Learned counsel appearing on behalf of the MHADA has submitted that the question of 600 sq. mts. Land would arise even if the Respondent develops the said land.

2. It is an admitted position that Petitioners have already made a representation to the MHADA to allot them a small strip of

land of 125 sq. mts. and said representation is still pending. In our view, petition can be conveniently disposed of by directing the MHADA to consider this request. If the representation is not made, Petitioners may make fresh representation to the MHADA within one week. The MHADA is directed to decide the said representation dispassionately on merits and in accordance with law within a period of 12 weeks thereafter. In the event any adverse order is passed, liberty is granted to the Petitioners to file suit or the writ petition, as the case may be. Interim order will continue till disposal of the above representation by the MHADA.

Sd/-
[B. P. COLABAWALLA, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath