

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.6053 OF 2014

Bhrashtachar Nirmulan Va Manav
Adhikar Samittee, Nanded & others

Petitioners

Versus

Secretary,
Urban Development Department,
Government of India, New Delhi
and others

Respondents

Mr.S.R.Choukidar, advocate for petitioners
Mr.S.B.Deshpande, Assistant Solicitor General for Respondent
No.1.
Mr.S.K.Kadam, A.G.P. for Respondent No.2.
Mr.A.B.Kadethankar, advocate for Respondent No.3.
Mr.M.V.Deshpande, advocate for Respondent No.4.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 14th January, 2016**

PER COURT:

1 Petitioners claim their entitlement in respect of certain amount released by the Central Government under Basic Services to Urban Poor (BSUP) Scheme in favour of Municipal Corporation, Nanded.

2 Petitioners contend that they have constructed tenements under the scheme and are entitled to receive certain amount as per the policy framed by the Central Government.

3 The contentions raised by petitioners, in the instant petition, have been seriously controverted by the Municipal

Corporation and it is contended that the amount is not payable to the petitioners and whatever amount payable is only in respect of expenses incurred by the individuals in carrying out construction under the scheme.

4 We do not propose to go into factual controversy involved in the matter. It would be apt to relegate the petitioners to fact finding authority. We deem it appropriate to direct petitioners to tender a comprehensive representation to the Secretary, Urban Development Department, Government of Maharashtra. If petitioners tender comprehensive representation to the aforesaid authority, the concerned Secretary himself or through any other officer, shall cause an inquiry/investigation in the matter and after extending an opportunity of hearing to all the parties concerned, shall issue appropriate directions. Petitioners undertake to tender representation within a period of six weeks from today. On receipt of the representation, the Secretary himself or through any other delegated officer, may take appropriate decision in the matter, within a period of four months from the date of receipt of representation.

5 With the directions as above, writ petition stands disposed of.

A.I.S.CHEEMA
JUDGE

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R.M.BORDE
JUDGE