

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO.3961 OF 2016

IN

CIVIL REVISION APPLICATION NO.763 OF 2015

Mr. Joseph Anbu Seelan

.. Applicant

IN THE MATTER BETWEEN

Rajjabali Compound Resident Welfare

Association and others

.. Applicants

Versus

Abdul Samed Mohammed Sarif and another

.. Respondents

Mr. Kunal Bhanage, for the Applicant.

Mr. S. P. Srivastava, for the Respondent No.1.

CORAM : R.M. SAVANT, J.

DATE : 9th FEBRUARY 2016

PC.

1. The above Civil Application has been filed for being permitted to lead additional evidence by way of the notice issued by the Chief Executive Officer, Dharavi Redevelopment Project, in edition of the Times of India dated 30.01.2016. The said notice is sought to be relied upon to buttress the contention that the suit was barred under Section 22 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (herein after referred to as the "Slum Act"). Since the notice is

sought to be relied upon to buttress the case relating to the jurisdiction of the Small Causes Court to entertain the suit, this Court found it just and proper to allow the Civil Application and permit the Applicant to rely upon the said notice for challenging the orders impugned in the above Civil Revision Application. The Civil Application is accordingly allowed and made absolute in terms of prayer clause (a).

[R.M. SAVANT, J]