

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6810 OF 2014

Dattaram Ragho Zagade .. Petitioner
-Versus-
Deputy Collector, (Ench & Rem) & Ors. ..Respondents

Mr. R.P.Khobragade for petitioner
Mrs. M.S.Bane, AGP for State.

CORAM : G.S.KULKARNI, J.

DATE : 20th January 2016.

P.C.

1] The petitioner's grievance is against the notice dated 30th November 2013 issued by the Deputy Collector (Encroachment and Removal)/ Competent Authority, whereby, on the ground that the petitioner having already occupied a tenement in one "Nandanvan CHS" being a society of slum dwellers, under the slum rehabilitation scheme, the petitioner is held not entitled to another tenement namely No.501 B wing in the "Salpadevi Sadan Coop.Hsg. Society". By the impugned notice the petitioner was called upon to hand over possession of the tenement No.501, Salpadevi Sadan Coop. Hsg., Society.

2] Admittedly, the petitioner stands evicted and averments to that

effect have been made in the memo of petition. Further, the petitioner has challenged the eviction notice dated 30th November 2013 by approaching Appellate Authority viz., Divisional Commissioner, Konkan Division, as also an application for stay has been preferred. The grievance of the petitioner is that the appeal is not heard though filed in the year 2013.

3] In the circumstances above, this petition needs no further adjudication and is disposed of with a direction to the Appellate Authority to look into the appeal filed by the petitioner and decide the same in accordance with law as early as possible and in any event, within a period of twelve weeks from today. All contentions of the parties are expressly kept open. Petition is disposed of in the above terms. No order as to costs.

(G.S.KULKARNI, J)