

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (L) NO.222 OF 2016

Mr. Vaibhav Maruti Kedari

.. Petitioner

V e r s u s

State of Maharashtra And Others

.. Respondents

Mr. Murlidharan a/w Mr. A. Vora i/b Joy Legal Consultants for the
Petitioner.

Mr. G.W. Mattos, AGP for Respondent Nos. 1 and 2.

**CORAM : A.S. OKA &
C.V. BHADANG, JJ.**

DATE : 3 FEBRUARY 2016.

P.C. :

1 Not on board. Taken on board.

2 In view of the administrative order dated 30 January 2016 of the Hon'ble the Acting Chief Judge, this petition is placed before this Court. The challenge in this petition is to the order dated 15 January 2016 issued by the Additional Collector & Competent Authority (ULC), Brihanmumbai.

3 We have perused the said order. The order is also addressed to the Petitioner. It records that if the possession of the flat in question is not handed over by 30 January 2016, proceedings will be initiated under the provisions of the Bombay Public Premises Eviction Act, 1955 (for short

“the said Act of 1955).

4 Under the said Act of 1955, there is an elaborate procedure provided for giving an opportunity of being heard before passing an order of eviction. It follows that the Petitioner will be heard in the proceedings initiated under the said Act of 1955 and therefore, it will be always open to the Petitioner to urge all the permissible contentions before the Competent Authority under the said Act of 1955. As the impugned order itself records that the Petitioner will be dispossessed after taking recourse to due process of law, it is not necessary to entertain this petition. Hence, the petition is disposed of. All contentions of the Petitioner in the petition are kept open.

(C.V. BHADANG. J.)

(A.K. OKA, J.)