

Shri. Suresh Maruti Pimplekar	}	Petitioner
versus		
The Tahasildar Kurla and Ors.	}	Respondents

Mr. Vijay D. Patil for Respondent No. 5.

DATED :- FEBRUARY 12, 2016

The Petitioner prays for a direction to consider some applications stated to have been made on 30th March, 2012.

2) If the Petitioner asserts and throughout that there was a declaration and published in the Government Gazette notifying particular area as slum, but still an eviction decree has been passed by the Civil Court/Court of competent jurisdiction against the Petitioner, then, the Petitioner's remedy is to challenge that eviction decree in higher Court. During the course of hearing, the higher Court can be requested to look into the

Gazette Notification and the legal consequences flowing therefrom. The declaration being valid and unchallenged, must bind the competent Court and it could not have ignored it.

3) All such arguments can be advanced and duly considered irrespective of dropping any application in the Collector's office. What the Petitioner thinks is an innocuous direction, if issued, would have far reaching consequence. We do not think, therefore, that the Petitioner's request should be granted. The Petition is entirely misconceived. It is dismissed.

(M.S.SONAK, J.)

(S.C.DHARMADHIKARI, J.)