

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 966 OF 2016**

Smt Shahubai B. Pardhe

..Petitioner

Vs.

The Chief Officer, MHADA & Ors

..Respondents

Mr. B. S. Shukla for the Petitioner

CORAM : R. M. SAVANT, J.

DATE : 6th SEPTEMBER, 2016

P.C.

1 The communication dated 9-12-2013 which is annexed to the above Petition as Exhibit J is taken exception to by way of the above Petition. By the said communication, the Petitioner is informed that the request made by her vide letter dated 19-11-2013 to the Slum Rehabilitation Authority has been rejected. It has been mentioned in the said communication that the Petitioner's name is not appearing in Annexure-II as also that the Petitioner's structure is part of the structure No.5 mentioned in the said Annexure-II for which one Devram Parde has been held to be eligible and therefore the Petitioner's name cannot be included in the said Annexure-II. The Petitioner is lastly informed that she may seek redressal from the higher authority in terms of the dispensation now in place.

2 In terms of the latest Government Resolution, the Appellate Authority is the Additional Collector, hence the Additional Collector Eastern

Suburbs would the Appellate Authority in so far as the Petitioner is concerned. The Petitioner is therefore required to file an Appeal before the Additional Collector in respect of her ineligibility as her name is not included in Annexure-II. In the said Appeal the Petitioner may request for a resurvey to be carried out in respect of her structure. The said request may be considered by the Appellate Authority in accordance with law. In so far as the Appeal is concerned, the Appellate Authority is directed to hear and decide the same latest by 31-10-2016, if the same is filed within three weeks from date.

3 With the aforesaid directions the Writ Petition is disposed of.

[R.M.SAVANT, J]