

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.2989 OF 2016

Ismail Jusab Agwan

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. Sandeep S. Sharma for the Petitioner.

Ms Kavita N. Solunke, AGP for Respondent No.1-State.

Mr. Kamlesh Ghumare with Ms Sonali Jadhav for Respondent Nos.2 to 4-MHADA

Mr. Mayur Khandeparkar with Mr. Sharad Wakchore i/b. Kishore Thakordas and Co. for Respondent Nos.5 to7.

CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 29th NOVEMBER, 2016.

P. C. :

Heard the learned counsel for the Petitioner and the learned counsel appearing for the Respondent Nos.2 to 4. We have also heard the learned counsel appearing for the Respondent Nos.5 to 7.

2. The learned counsel appearing for the Respondent Nos.2 to 4, on instructions, states that if the Petitioner appears before the Chief Officer of the second Respondent, an opportunity of being heard will be granted to the Petitioner and a fresh order will be passed. We accept

the said statement.

3. In view of this statement, we dispose of this petition by passing following order only on the ground that aforesaid statement has been made by Respondent Nos.2 to 4:-

ORDER

- (i) The impugned order dated 25th October, 2016 is set aside;
- (ii) We direct the Petitioner to appear before the Chief Officer of the Second Respondent on Tuesday, 6th December, 2016 at 11.00 a.m. The Petitioner shall be entitled to file a reply on the same day;
- (iii) We make it clear that no further time shall be granted to the Petitioner;
- (iv) We direct the Chief Officer of the Respondent No.2 to pass appropriate order as expeditiously as possible and in any event within a period of one month from 6th December, 2016;
- (v) All contentions on merit are kept open;
- (vi) The petition is disposed of in above terms.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)