

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.511 OF 2015

IN

WRIT PETITION NO.242 OF 2010

ALONG WITH

WRIT PETITION NO.242 OF 2010

Ramashish Gopal Gupta

.... Applicant

In the matter between

Ramashish Gopal Gupta & Ors.

.... Petitioners

V/s.

The State of Maharashtra,

Through Housing Secretary,

Ministry of Housing, Mantralaya, Mumbai & Ors.

.... Respondents

Mr. Anand A. Pande, i/by Mr. A.R. Pande, for the
Applicant/Petitioner.

Mr. Arvind Aswani, i/by Mr. J.G. Aradwad (Reddy) for
Respondent No.3.

Mr. S.G. Surana for Respondent No.5.

Mr. K.G. Munshi, i/by M/s. Thakore Jariwala &
Associates, for Respondent No.6.

CORAM : S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 8TH JULY, 2016.

P.C. :

1. Heard Mr. Pande, appearing for the Applicant/Petitioner, and Mr. Munshi, appearing for Respondent No.6.

2. Since the Writ Petition has been dismissed by this Court, according to the Petitioners / Applicants, for want of prosecution, for the reasons set

out in the affidavit-in-support of the Notice of Motion, the said order is recalled. The Petition is restored to file. We have taken up the Petition for admission forthwith.

3. Admittedly, the Petitioner is not a slum-dweller, nor is he a part of any Slum Rehabilitation Scheme implemented by the Slum Rehabilitation Authority with the help of private builders or parties. In such circumstances, at the instance of Petitioner No.1, who is stated to be a Corporator of the locality, we do not wish to examine the question and styled as a legal question. We dismiss the Petition.

4. As regards the question which challenges constitution of the High Power Committee, we leave the legal controversy open for being decided at the instance of a more fitting person and in an appropriate situation.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [S.C. DHARMADHIKARI, J.]