

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.31992 OF 2012

ORDER:

Counsel appearing for the parties submit that the threatened act of eviction of petitioner by respondents 1 and 2 is also the subject matter of writ petition No.7813 of 2012 and on 15.09.2015 and the following order was passed in W.P.No.7813 of 2012:

"But the fact remains that a common eviction notice is issued to all the residents including the petitioner. However, no individual notice was issued to the petitioner and no opportunity was given to him though he claims to be in possession of the house bearing No.13-381 for the last 20 years. As stated earlier, the petitioner paid property tax and electricity charges. Since, no opportunity was given to the petitioner to explain his case and as he was not aware of the common notice issued by the respondents, it can be held that principles of natural justice are clearly violated. Hence, the writ petition is disposed of directing the petitioner to submit an explanation with all the documents in support of his claim within four (04) weeks from today and the first respondent shall pass orders in accordance with law, within eight (08) weeks from the date of submitting the explanation. Further, no coercive steps as per law shall be initiated till then. It is needless to mention that no further notice shall be given and these proceedings shall be taken as a notice to the petitioner. No order as to costs."

Counsel request the Court to dispose of the instant writ petition on the same lines. The statement is accepted and writ petition No.31992 of 2012 is disposed of in the same terms as in W.P. No.7813 of 2012.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:22.08.2016
Stp