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

WRIT PETITION No. 833 OF 2016

Chhedilal Laltaprasad Baniya ... Petitioner
Vs.
The Municipal Corporation of
Greater Mumbai & Ors. ... Respondents

Mr. Shripad Murty i/b Arvin Anto, for the Petitioner.
Mr. Sagar Patil, for the Respondent - BMC.

CORAM : V. M. KANADE, &
C. V. BHADANG, JJ.

DATE : MARCH 27, 2017

PC.

1. The Petitioner's contention is that he is eligible to get permanent accommodation and therefore, his name be directed to be included in the Annexure-II of eligible persons.

2. In our view, this Court while exercising jurisdiction under Article 226 of the Constitution cannot go into the disputed questions of facts or decide whether the Petitioner is eligible to get permanent accommodation or not. We, therefore, direct the Assistant Engineer,

G-North Ward (Respondent No. 6 herein) to decide the Petitioner's application on merits and in accordance with law, after giving him hearing. This exercise may be completed within a period of six weeks. The writ petition is accordingly disposed of in the aforesaid terms. All contentions of the parties raised in this petition are kept open.

Sd/-
[C. V. BHADANG, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath