

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

WRIT PETITION (L) NO.206 OF 2017

Krishna Vithal Bane and Another ...Petitioners
vs.
The State of Maharashtra and Others ...Respondents

Mr. Machindra Patil i/b. Mr. Vijay Garad, for the Petitioners
Mr. Hemant Haryan, AGP for the Respondent Nos. 1 and 5-State.

**CORAM : SHANTANU KEMKAR &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATE : SEPTEMBER 07, 2017

P.C.:

- . Not on board. Upon mentioning taken on board.
2. Through this Petition, the Petitioners are claiming the following reliefs:

(a) The Court be pleased to issue the Writ or any other Writ in the nature of Mandamus directed the Respondent Authority of include the Petitioners name in Annexure to include the Petitioners name in Annexure II as per Government Resolution dated 16th May, 2015 in proposed Mariamma Nagar Co-Op. Housing Society behind Nehru Centre, Dr. A.B. Road, Worli, Mumbai and directed the Respondent Nos. 6 and 7 to allot the tenement to the Petitioners in the interest of justice.

(b) The Court to issue the Writ or any other Writ in the nature of Mandamus directed the Respondent Nos. 1 to 6 to provide alternate accommodation to the Petitioners.

(c) That pending the hearing and final disposal of the above Writ Petition, this Court be pleased to direct the Respondents Authority to include the Petitioners name in Annexure II as per Government Resolution dated 16th May, 2015 in proposed Mariamma Nagar Co-Op. Housing Society behind Nehru Centre, Dr. A.B. Road, Worli, Mumbai and directed the Respondent Nos. 6 and 7 to allot the tenement to the Petitioners.

(d) That pending the hearing and final disposal of the above

*Petition, this Court be pleased to direct the Respondent Nos. 1 to 6 to provide alternate accommodation to the Petitioners.
(e) For ad-interim relief in terms of prayer clause (c) and (d).*

3. The learned counsel for the Petitioners submit that during the pendency of this Petition, the Petitioners have received a communication dated 2nd June, 2017 from the S.R.A. In the light of the said communication, the Petitioners are ready to deposit the amount as mentioned in the said letter before the Municipal Corporation.

4. The prayer has been made by the learned counsel for the Petitioners is to dispose of this Petition by granting liberty to the Petitioners to approach the Municipal Corporation along with the said communication dated 2nd June, 2017 for taking further steps in the matter.

5. Keeping in view the aforesaid, we dispose of this Petition with liberty to the Petitioners to submit a representation along with the copy of the said letter dated 2nd June, 2017 and relevant documents before the Municipal Corporation. We expect that in case the Petitioners submit such representation before the Municipal Corporation, the Competent Authority of the Municipal Corporation shall examine the same and shall take appropriate decision on it in accordance with law as expeditiously as possible.

6. With the aforesaid liberty and direction, the Petition is disposed of.

(SMT.ANUJA PRABHUDESSAI, J.) (SHANTANU KEMKAR, J.)