

psv

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

WRIT PETITION NO.188 OF 2017

Rambahadoor @ Rambahadoor Bake	
Bihari Pal & Ors.	..Petitioners
Vs.	
The Chief Executive Officer, SRA & Ors.	..Respondents

Mr.S.G. Kudle for Petitioners.
 Mr.M.M. Vashi, Senior Advocate with Ms.Aparna Deokar for
 Respondent Nos.4 and 5.
 Mr.A.A. Dasai for Respondent No.1-SRA.
 Mr.Kunal Bhange, AGP for Respondent Nos.2 and 3.
 Mr.Sagar Patil for MCGM.
 Petitioner No.1 in person present.

**CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.**

DATE : 29th NOVEMBER 2017

P.C.:

After arguing for some time, the learned Counsel for Respondent Nos.4 and 5 submits that as regards the petitioner No.1 Rambahadoor alias Rambahadoor Bake Bihari Pal, the fourth and the fifth respondent will allot and hand over the possession of alternate permanent accommodation to him within 4 weeks from today as he has been found eligible by the SRA.

2. We record the said statement which has been made in the presence of the Chairman of the respondent No.4 as also on behalf

of the developer-fifth respondent.

3. As regards the petitioner nos.2, 4 and 5, keeping in view the fact that the SRA has held them eligible slum dwellers and in regard to challenge to the said order, the fourth and fifth respondents are being permitted to file appeal by this Court by a separate order passed today in Writ Petition (L.) No.430 of 2017, we direct that the allotment and possession of permanent alternate accommodation be given to the second, fourth and the fifth respondents within four weeks from today, which will be subject to out come of the appeal as will be filed by the fourth and the fifth respondents.

4. The possession shall be given as aforesaid to the petitioner nos.2, 4 and 5 on their filing unconditional undertaking before this Court within two weeks from today that in the event of their failure before the appellate authority and before this Court, if occasion arises to file petition they will vacate the alternate permanent accommodation which will be provided to them by the fourth respondent and the fifth respondent and shall hand over peaceful possession of it to them within 8 weeks.

5. So far as the petitioner No.3 is concerned, we are not passing any order as in his case the matter has been remanded by the SRA to the Deputy Collector and the same is pending before the Deputy Collector.

6. The petitioners' contention about non grant of transit accommodation to them till the time they will be allotted and given possession of the permanent alternate accommodation the same is kept open with liberty to the petitioners to raise the same before the appropriate authority.

6. With the aforesaid direction, the Writ Petition is disposed of.

[G.S. KULKARNI, J.]

[SHANTANU S. KEMKAR, J.]