

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.781 OF 2017

Mr Keshav J. Nayak and others	... Petitioners
v/s	
State of Maharashtra and others	... Respondents

Mr Mayur Khandeparkar i/b Mr Yogesh Bandal for Petitioners.
Ms Kavita N. Solunke, AGP for Respondent No.1.
Ms Manisha Jagtap for Respondent Nos.2 and 3.
Mr M.S. Surana for Respondent No.4.

**CORAM : SHANTANU S. KEMKAR &
B.P. COLABAWALLA, JJ.**

DATE : APRIL 6, 2017

P.C.:

Heard parties through their learned counsel.

2. Having considered the submissions made by the learned counsel for the parties, we find that in all 12 commercial establishment holders have not been allotted the area in the building in question by MHADA.

3. The learned counsel appearing for Respondent Nos.2 and 3 submits that the builder i.e. Respondent No.4 has not provided the list of eligible persons of the commercial structures of the building in

question alongwith the corresponding area for which they are entitled and the same if provided by the Respondent No.4, the Respondent Nos.2 and 3 shall take necessary steps for allotment of the area to the Petitioners as also remaining eight persons who are entitled for commercial structures.

4. In view of the aforesaid, we dispose of this Petition by directing the Respondent No.4 to provide the list of eligible holders of commercial premises to whom commercial area as per their entitlement are to be allotted, giving details of their names and the area certified by MHADA to Respondent Nos.2 and 3.

5. On receipt of the same, Respondent Nos.2 and 3 shall make necessary allotment in accordance with the procedure prescribed for allotment of commercial area to the said persons.

6. The entire process be completed by Respondent Nos.2 to 4 within four weeks.

7. Petition is disposed of.

(B.P. COLABAWALLA, J.)

(SHANTANU S. KEMKAR, J.)