

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

**WRIT PETITION NO.1558 OF 2017**

Aslam Shaikh s/o. Akhtar Hussain  
Shaikh

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. C.K. Tripathi with Ms Bhagyashree Gawas for the  
Petitioner.

Mr. V.P. Sawant for MHADA for the Respondent Nos.2 and 3.

Mr. Hemant Haryan, AGP for the Respondent No.1-State.

**CORAM : SHANTANU KEMKAR &**

**SMT. ANUJA PRABHUDESSAI, JJ.**

**DATED : 6<sup>th</sup> SEPTEMBER, 2017.**

**P.C.:-**

By this Petition filed under Article 226 of the Constitution of India, this Petitioner has alleged inaction on the part of the Respondent Nos.2 and 3 in not making allotment of room in Master list building in lieu of old Room No.3 situated on the 1<sup>st</sup> floor at Building No. 107, 2<sup>nd</sup> lane, Kamathipura, Bombay 400 108, which was acquired by the Respondent Nos.2 and 3 from the Petitioner in 1976 from Petitioner's father.

2. The learned counsel for the Petitioner submits that for the

aforesaid relief the Petitioner made several representations including last representation dated 4.4.2016 (Exhibit-A) before the Executive Engineer of the 2<sup>nd</sup> Respondent but till date said representation has not been considered and decided. Prayer has been made by the learned counsel for the Petitioner to dispose of the Petition by directing the Executive Engineer of the 2<sup>nd</sup> Respondent to decide the said representation dated 4.4.2016 at Exhibit A as expeditiously as possible.

3. The learned counsel for the Respondent Nos.2 and 3 submits that the Petitioner's representation would be decided by the Executive Engineer of the 2<sup>nd</sup> Respondent and appropriate decision in accordance with law will be taken by the Executive Engineer within a period of three months from the date of receipt of copy of this order.

4. In view of the aforesaid, we dispose of the Petition by directing the Executive Engineer of the Respondent No.2 to take appropriate decision on the above mentioned Petitioner's representation within a period of three months from the date of receipt of copy of this order.

**(ANUJA PRABHUDESSAI, J.)**

**(SHANTANU KEMKAR, J.)**