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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2235 OF 2013**

Mehboobi Sheikh Mohammed Shafiq	... Petitioner
Vs.	
State of Maharashtra and Ors.	... Respondents

Mr. D.G. Bagve i/by S.R. Page for the Petitioner.
Mr. Kunal Bhanage, AGP for the Respondent No.1 and 4.
Ms. Vandana Mahadik for the Respondent Nos.2 to 3 – BMC.

**CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 28th JUNE, 2017

PC.

1 Heard the learned counsel appearing for the petitioner. The first substantive prayer is for quashing the communication at Exhibit – A which is dated 24th May, 2013. In fact, the said communication holds the petitioner as eligible for allotment of alternate accommodation through a lottery system. The grievance is that undertaking which is required to be given by the petitioner records that the area allotted to the petitioner will be of 225 sq. ft.

2 As the petitioner has been held eligible for allotment of alternate accommodation, the challenge to notice dated 24th May, 2013

need not be entertained as the said notice does not record the area of the premises which will be allotted to the petitioner.

3 If according to the case of the petitioner, the premises admeasuring 225 sq. ft. have been offered to him and according to him, his entitlement is for a larger area, it is for the petitioner to make an appropriate representation in that behalf to the concerned authority. If such representation is made, the same shall be decided in accordance with law as expeditiously as possible and in any event, within a period of one month from the date of making representation. The Petition is disposed of.

(SMT. VIBHA KANKANWADI, J)

(A.S. OKA, J)