

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

WRIT PETITION NO. 2613 OF 2016

ACME Complex Private Limited
and another

.... Petitioners

Vs.

The Municipal Corporation of Greater
Mumbai and others

.... Respondents

Mr. Milind Sathe senior counsel a/w Mr. Pradeep B. a/w Ms. Mitakshi Lakhani
i/b Wadia Ghanady and Co. for the petitioners
Ms. Pallavi Thakar for MCGM.

**CORAM : SMT. VASANTI A. NAIK,
RIYAZ I. CHAGLA, JJ.**

DATE : NOVEMBER 28, 2017.

P.C.

By this writ petition, the petitioner has sought a direction against the respondents to use the land set back area for the purpose for which it was acquired and accordingly widen the Lal Bahadur Shastri (LBS) road.

During the pendency of the writ petition, a statement was made on behalf of the Corporation that the Corporation was in the process of framing a new policy and the unauthorised structures would be removed within six months from the framing of the new policy. On the previous date of hearing, we had directed the Corporation to make a concrete statement within what time the policy would be framed.

Today, the learned counsel for the respondent-corporation has tendered an affidavit-in-reply of the respondent-corporation. The same is accepted on record. It is stated in paragraph 2 of the affidavit-in-reply that the new policy for granting commercial alternate accommodation/monetary compensation etc to affected commercial hutment dwellers, would be framed within 6 months. It is stated that the process of issuance of notices to the affected structure holders would be initiated immediately and the Corporation and its authorities would decide the eligibility of the occupants as per the Government Resolution dated 16/05/2015 and remove the 'ineligible' occupants within six months by following the due process of law. It is stated on behalf of the Corporation that the construction for widening the LBS road would be initiated immediately after the completion of six months.

By accepting the statements made on behalf of the Corporation that would be binding on the Corporation, we dispose of the writ petition with no order as to costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]