

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2947 OF 2016**

Patiraj Jhulai Pal

..Petitioner

Vs.

**The Municipal Corporation of
Greater Mumbai & Ors**

..Respondents

Mr. A. D. Mishra for the Petitioner

Mrs. Shital Mane for the Respondent-BMC

CORAM :R. M. SAVANT, &

SMT. SADHANA S JADHAV, JJ

DATE : 7th JULY, 2017

P.C.

1 The above Writ Petition has been filed seeking a direction that the Respondents be directed to declare the Petitioner as eligible for participating in slum rehabilitation scheme. It seems that the structure of the Petitioner was situated on the land which is vesting in the Municipal Corporation of Greater Mumbai (Municipal Corporation of Greater Mumbai). Hence the eligibility of the Petitioner has to be decided by the Competent Authority who has been appointed by the MCGM to decide the eligibility in so far as the slum scheme on municipal land is concerned. We therefore direct the concerned Assistant Commissioner / Competent Authority of the MCGM to decide the Petitioner's eligibility within 8 weeks from date. If the application for eligibility filed by the Petitioner has been misplaced in the office of the MCGM, the Competent Authority would treat the instant Petition as a representation of the Petitioner.

Since we are informed that the above Petition is the third round, in the event the representation is not decided, this Court would then be constrained to direct the concerned Additional Commissioner of the MCGM, under whom the Assistant Commissioner/ Competent Authority is working to personally remain present in this Court. The Writ Petition is accordingly disposed of.

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2 For compliance to be kept on 6-9-2017, under the caption of directions.

[SMT SADHANA JADHAV, J]

[R.M.SAVANT, J]