

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

WRIT PETITION NO.667 OF 2016

Smt. Ahmedunnisa Afzal Hussain	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

Mr. S. G. Deshmukh i/by Mr. R. A. Shelke for the Petitioner.

Mr. R. J. Mane, AGP for the Respondent Nos.1 to 4.

**CORAM : R. M. SAVANT &
SMT. SADHANA S. JADHAV, JJ
DATE : 6th JULY, 2017**

PC.

1 The order passed by the Deputy Collector (Enc/Rem) and Competent Authority, Bandra, dated 06.08.2015 is taken exception to by way of the above Petition. The said order has been passed pursuant to the directions issued by a Division Bench of this Court vide order dated 25.03.2015 passed in Writ Petition No.93 of 2015 which Writ Petition was filed by the Petitioner seeking a direction that his representation should be considered by the concerned authority. Since against the order passed by the Deputy Collector (Enc/Rem) and Competent Authority, an Appeal lies under Section 35 of the Slum Act to the Additional Collector, we deem it appropriate to relegate the Petitioner to the said remedy by way of an Appeal.

2 The Learned Counsel appearing on behalf of the Petitioner is also agreeable to the said course of action being followed.

3 Hence, by relegating the Petitioner to the said remedy by way of an Appeal before the Additional Collector, we dispose of the above Writ Petition.

4 Needless to state that we have not gone into the merits of the order passed by the Deputy Collector (Enc/Rem) and Competent Authority, it is before the Appellate Authority that the Petitioner can urge his contentions.

[SMT. SADHANA S. JADHAV, J]

[R.M.SAVANT, J]