

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9485 OF 2018

Bechen Sitaram Gupta & ors.

.Petitioners

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. Y. D. Patil i/b. Mr. A. C. Sawant, Advocate, for the Petitioners

Mr. Milind More, Advocate, for the Respondent No. 2

Mr. Madhur Surana, Advocate, for the Respondent No. 3

CORAM : REVATI MOHITE DERE, J.

DATE : 24.08.2018

P.C.

. Mentioned. Not on board. Taken on board.

2. Heard.

3. At the outset, learned counsel for the Respondent No. 3 on instructions states that he has no objection, if the Respondent No. 2 i. e. The Deputy Collector, (Mumbai City) Slum Rehabilitation Authority hears the Petitioners before passing the final order. Learned counsel for the Petitioners submits that the Petitioners had requested for an adjournment, however, the

said adjournment Application was rejected and the matter was closed for orders and the Petitioners were directed to file Written Statement, if any, within three days from 20.08.2018. Without going into the allegations whether the adjournment Application was bonafide or not or was rightly rejected or not, the Petition is allowed on the following terms & conditions :-

O R D E R

(i) The Respondent No. 2 - The Deputy Collector, (Mumbai City) Slum Rehabilitation Authority will hear the Petitioners before passing any final order;

(ii) All parties i. e. the Petitioners & the Respondents to remain present before the Respondent No. 2 - The Deputy Collector, (Mumbai City) Slum Rehabilitation Authority on 28.08.2018 at 3.00 p. m., on which date the Deputy Collector may hear the parties or fix any date convenient to the Respondent No. 2 – The Deputy Collector for hearing the Petitioners herein;

(iii) The Advocates appearing for the respective parties will not seek any adjournment on Tuesday i.e. on 28.08.2018 or any date thereafter as may be fixed by the Respondent No. 2 – The Deputy Collector.

4. The Petition is disposed of in the aforesaid terms.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)