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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10875 OF 2015

|                          |                |
|--------------------------|----------------|
| Sayed A. Hasan           | ...Petitioner  |
| V/s.                     |                |
| The Chief Officer & Ors. | ...Respondents |

Mr.Pradeep J. Thorat for the Petitioner.

Ms.Sharmila Deshmukh for the MHADA - Respondent.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 23RD JANUARY, 2018.**

**P.C. :-**

1. By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 13<sup>th</sup> June, 2014 passed by the respondent no.3 confirming the order passed by the Chief Officer dated 5<sup>th</sup> August, 2013 dismissing the appeal filed by the petitioner.

2. A perusal of the impugned order clearly indicates that the respondent no.3 has not rendered any reasons while rejecting the appeal filed by the petitioner, though has referred to the documents relied upon by the petitioner. The impugned order is accordingly set aside. The appeal filed by the petitioner is restored to file and shall be decided by the respondent no.3 afresh in accordance with law. The

respondent no.3 shall render the reasons in the order proposed to be passed after considering the material produced by the petitioner and after following the principles of natural justice.

3. The order shall be passed within four weeks from the date of the first meeting. The respondent no.3 shall not be influenced by the observations made in the impugned order and the conclusions drawn and shall pass a fresh order in accordance with law. The petitioner is directed to remain present before the respondent no.3 on 5<sup>th</sup> February, 2018 at 11:00 a.m.

4. The writ petition is accordingly disposed of.

5. The parties to act on the authenticated copy of this order.

6. No order as to costs.

**(R.D. DHANUKA, J.)**