

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

WRIT PETITION NO.827 OF 2017

Peter Paul Raj Sthanislas : Petitioner.
Versus
The Mumbai Municipal Corporation
Through its Assistant Commissioner and ors. : Respondents.

Mr. S P Shinde for the Petitioner.
Mrs. R M Shinde, AGP for the Respondent/State.
Mr. D S Shingade for the Respondent Nos.1 and 4 MCGM
CORAM : R. M. SAVANT &
NITIN W. SAMBRE, JJ.
DATE : 17th OCTOBER 2018

P.C.

1 The communication dated 25/11/2016 by which the Petitioner has been informed that he has not been able to produce any documents to show that the structure to which he lays a claim was in existence prior to 01/01/1995 and 01/01/2000 and thereby calling upon the Petitioner to remove the structure in question is taken exception to by way of the above Writ Petition.

2 In respect of the ineligibility of the Petitioner which has been communicated vide the said communication dated 25/11/2016, it would be open for the Petitioner to take appropriate recourse under the Slum Act. It is therefore, not necessary to entertain the above Writ Petition. It would be contingent upon the decision as regards the eligibility of the Petitioner that the Petitioner's entitlement to permanent alternate accommodation would arise. If

any such application is filed by the Petitioner before the concerned Authority under the Slum Act, we direct that the same be entertained, and decided in accordance with law within 2 months of the filing of such an application. With the directions as aforesaid, the above Writ Petition is disposed of.

[NITIN W. SAMBRE, J]

[R. M. SAVANT, J]