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

CHAMBER SUMMONS NO.245 OF 2017

IN

WRIT PETITION NO.2177 OF 2017

Yuvraj Sandipan Sawant

..Applicant /
Intervenor.**IN THE MATTER BETWEEN**

Anil Mahadeo Jaitapkar

..Petitioner.

V/s.

State of Maharashtra & Ors.

..Respondents.

Srikrishna
Ananth
SharmaDigitally signed
by Srikrishna
Ananth Sharma
Date: 2018.10.06
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Mr. Kishor Patil i/b. Mr. Dilip Shinde for the Applicant / Intervenor.

Mr. Joel Carlos for the Petitioner.

Mr. G. W. Mattos, AGP for the Respondent-State.

Mr. Prakash Lad for Respondents-MHADA.

***CORAM : R.M.SAVANT AND
NITIN W. SAMBRE, JJ.******DATE : OCTOBER 3, 2018*****P.C.:-**

The above Chamber Summons has been filed by the
Applicant seeking his intervention in the above Writ Petition.

2. The above Writ Petition challenges the notice dated November 21, 2016 issued by MHADA by which notice the Petitioner was called upon to hand over possession of the tenements in question which were allotted to the Petitioner. The Petitioner also seeks a direction that Resolution dated September 11, 2014 of the State Government be made applicable. The action taken against the Petitioner which is exemplified by the notice dated November 21, 2016 is pursuant to the order passed by this Court in PIL No.9 of 2016 filed by the Applicant.

3. The said PIL raises the issue of more than one allotment made to the parties under the 5% and 10% discretionary quota of the Hon'ble the Chief Minister of Maharashtra. The Petitioner is one such person who has been allotted more than one tenement under the said 10% quota, as a consequence of which, the action vide notice dated November 21, 2016 has been taken against the Petitioner. Having regard to the fact that the Applicant herein has filed the said PIL No.9 of 2016 wherein, as indicated above orders came to be passed by this Court from time to time, pursuant to which action has been taken against the Petitioner,

we deem it appropriate to permit the Applicant to intervene in the above Writ Petition.

4. Chamber Summons is accordingly made absolute in terms of prayer clause (a). Amendment to be carried out within two weeks.

5. We however, make it clear that the above petition would be restricted to the challenge raised therein and the scope of the above petition would not be enlarged as a PIL in respect of the 5% and 10% discretionary quota is yet pending.

6. The Chamber Summons is accordingly disposed of.

7. The petition to be listed for admission after four weeks.

(NITIN W. SAMBRE, J.)

(R.M.SAVANT, J.)