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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 1890 OF 2017

S.D. Corporation Pvt. Ltd.	...Petitioner
Vs.	
State of Maharashtra & ors.	...Respondents

WITH

WRIT PETITION (L) NO.3430 OF 2017	
Sunita Shantaram Ombale	...Petitioner
Vs.	
State of Maharashtra & ors.	...Respondents

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Ms. Pooja Patil – Khandeparkar for the petitioner in WP(L) No. 3430/17 and respondent No.6 in WP(L) No.1890/17.

Mr. Hemant Haryan, AGP for respondent Nos.1, 2 & 4 in WP(L) No. 3430/17.

Mr. U.S. Upadhyay, AGP for respondent Nos. 1 to 3 in WP(L) No.1890/17.

Ms. Preetam Gupta i/by Mr. Yuvraj Patil for respondent No.8 in WP(L) No.1890/17.

Mr. G.W. Mattos for respondent No.3 in WP(L) No. 3430/17.

Mr. Kunal Kanungo i/by Mr. S. Venketeshwar for respondent No.5 in WP(L) No.1890/17.

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CORAM : SHANTANU S. KEMKAR &
M.S.KARNIK, JJ.

DATE : 14th MARCH, 2018.

P.C. :

Parties through their Counsel.

2. Having heard learned Counsel for the parties, we find that the dispute between the petitioner and 8th respondent in regard to inclusion of the name of respondent No.8 and non inclusion of the name of the petitioner in Annexure II in respect of Hut No.120-B/260 is required to be considered by the Apex Grievance Redressal Committee. As we find that the grievance of the petitioner made in regard to entering the name of respondent No.8 in Annexure-II has remained undecided as its application No.132/2012 is still pending.

3. In the circumstances, as agreed by the parties appearing before us, we dispose of these petitions by directing the Apex Grievance Redressal Committee to consider and decide the claim of the petitioner vis-a-vis respondent No.8 in respect of Hut No.120-B/260 and record a finding as to who is entitled for allotment of the alternate accommodation in place of the said hut.

4. Let the decision as aforesaid be taken by the said authority within three months from the date of appearance of the parties before the said Committee. Parties to appear before the said Committee on 7th April, 2018 at 11.00 a.m.

5. We expect that the parties shall co-operate in deciding the matter by the said Committee within aforesaid period of three months and shall not seek unnecessary adjournments.

6. We also direct that till decision is taken by the said Committee the order of eviction dated 4th August, 2015 and Appellate order dated 1st December, 2015 shall remain in abeyance.

7. All contentions of the parties are kept open about entitlement of the petitioner and the 8th respondent.

8. This order and the decision as may be taken by the Committee shall govern the petitioner's application No.132/2012 which need not be decided separately.

9. With the aforesaid directions, both the petitions are disposed of.

10. Parties to act upon an authenticated copy of this order.

(M.S.KARNIK, J.)

(SHANTANU S. KEMKAR, J.)