

Sequeira

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

WRIT PETITION (Lodging) NO. 2419 OF 2018

Sanjay Laxman Mohite and others ... Petitioners

V/s.

High Power Committee and others ... Respondents.

***Along with
WRIT PETITION (L) NO. 2418 OF 2018***

Sunil Namdev Surve and others ... Petitioners

V/s.

High Power Committee and others ... Respondents.

***Along with
WRIT PETITION (L) NO. 2420 OF 2018***

Tukaram Yashwant Adate ... Petitioner

V/s.

High Power Committee and others ... Respondents.

Maria
Luiza
Nicholas
Sequeira

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by Maria Luiza
Nicholas
Sequeira
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Mr.Ranjit Thorat a/w Mr.Balasaheb R. Deshmukh, for Petitioners.

Mr.Vijay D.Patil, for Respondent No.1.

Mr.Himanshu B.Takke, AGP for State Respondent Nos.2 and 7.

Mr.Jayesh R.Vyas, for Respondent Nos.3 and 4 in WPL No.2419 of 2018.

Mr.Karl Tamboly a/w Mr.Hamid Ahmad, for Respondent No.5.

Mr.Nilesh Ukey, for Respondent No.3 in WPL No.2420 of 2018.

***CORAM : R.M. Borde and
V.M. Deshpande, JJ.***

DATE : 24 July, 2018.

P.C. :-

The petitioners are aggrieved by the order dated 15 April 2017 passed by High Power Committee in Application No.43 of 2017. The petitioners are praying for issuance of directions to the High Power Committee to decide the Appeal presented by petitioners within specified time prayed and also seeking protection during the pendency and disposal of the Appeal. The petitioners are also seeking a restraint order against respondents from implementing and executing the notice dated 2 July 2018 issued by the Deputy Collector and Competent Authority, Mumbai. It is pointed out to us that the High Power Committee has already turned down the request of petitioners by an order dated 15 April 2017. It is further

informed that by virtue of a deeming provision, petitioners enjoyed the protection from eviction until 26 April 2018. It is further informed that the appellate powers are exercisable now by virtue of amendment by the Apex Grievance Redressal Committee or the Grievance Redressal Committee as the case may be. Petitioners contend that they have already approached the appellate Authority and the Appeal is stated to be pending. In the circumstances, without entering into the merits of the controversy the ends of justice would be met in directing the parties to cause appearance in the proceedings of Appeal presented by the appellants – petitioners before the appellate forum on prescribed date. Petitioners as well as the contesting respondents shall cause appearance before the Apex Redressal Committee on 27 July 2019 at 11.00 a.m. and as such no separate notice requiring their appearance before the appellate forum would be necessary. The Apex Redressal Grievance Committee or Grievance Redressal Committee to whom the matter may be assigned, shall dispose of the appeal proceedings in accordance with provisions of law and after extending an opportunity of hearing to all the parties concerned as expeditiously as possible preferably within period of four weeks from the date of appearance of the parties. In the meanwhile, no coercive steps be taken against the petitioners

(V.M. Deshpande, J.)

(R. M. Borde, J.)