

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

WRIT PETITION NO.2510 OF 2016
WITH
WRIT PETITION NO.2602 OF 2016
WITH
CHAMBER SUMMONS (ST.) NO.66 OF 2018

Yamuna Mahadev Shinde and Others ...Petitioners
vs.
The State of Maharashtra and Others ...Respondents

Mr. S.S. Redekar, for the Petitioners in WP.No.2510 of 2016.
Mr. Sushil Upadhyay I/b. Mr. A.M. Sarogi, for the Petitioners in
WP.No.2602 of 2016 and for the Applicant in Chambr Summons
(St.) No. 66 of 2016
Mr. Manish Upadhyay, AGP for Respondent Nos. 1 and 2.
Mr. A.P. Kulkarni, for Respondent Nos. 3 to 5.
Mr. V.V. Parashurami, for Respondent No. 6.
Mr. S.V. Bane, for Respondent No. 8.

**CORAM : SHANTANU KEMKAR &
N. W. SAMBRE, JJ.**

DATE : JULY 18, 2018

P.C.:

. During the course of hearing, it is brought to our notice
that Respondent No. 8 has preferred an Appeal before the
Additional Collector, Mumbai against the order passed by the Dy.
Collector (En/Re), SRA. In the circumstances, we direct the
Additional Collector, Mumbai to consider and take appropriate

decision on the said Appeal filed by Respondent No. 8 as expeditiously as possible but in any case not later than two months from the date of receipt of copy of this order.

2. After the decision as may be taken by the Additional Collector, Mumbai on the said Appeal, the Secretary, S.R.A shall decide the entitlement in regard to the tenement No. B – 504 which is claimed by the Petitioners on the basis of allotment order dated 21st October, 2015 (Exhibit “E”), the letter from S.R.A. dated 2nd April, 2016 (Exhibit “H”) as also the letter from Asstt. Registrar, S.R.A dated 13th April, 2016 (Exhibit “I”).

3. Before taking any decision, the said authority shall consider the grievances as may be raised by the parties including the present Petitioner and the Petitioner in Writ Petition No. 2602 of 2016.

4. The parties are at liberty to present their submissions before both the authorities in writing within two weeks.

5. The decision be taken by the said Secretary, S.R.A. within three months from the date of the decision of the Additional Collector, Mumbai.

6. With the aforesaid direction, both the Petitions are disposed of.

7. In view of above, the Chamber Summons stands disposed of.

8. So far as the transit rent is concerned, the Petitioner shall submit the details as on date to Respondent No. 6. The Respondent No. 6 shall pay the arrears of the transit rent to the Petitioner as has been paid earlier and to the other eligible occupants and shall continue to pay till disposal of the matter by the Secretary, S.R.A.

9. All contentions of the parties are kept open.

(N.W. SAMBRE, J.)

(SHANTANU KEMKAR, J.)