

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

WRIT PETITION NO.4809 OF 2018

Colaba Rajak Consumers Co-op. Society ... Petitioner

Vs

The State of Maharashtra & Ors. ... Respondents

Mr.Bhooshan R. Mandlik i/b Mr.S.S. Patwardhan for the Petitioner

Mr.Chirag Balsara with Asadali Mazgaonwala for Applicant in
CAW/2212/2018

Ms.S.D. Vyas, 'B' Panel Counsel for Resp. Nos.1, 3 to 5

Mr.V.D. Patil with Mr.S.S. Kurade for the Respondent No.2

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: JULY 18, 2019

P.C.:

1. The above Writ Petition is filed for the following reliefs:

- a) that this Hon'ble Court be pleased to issue a writ of mandamus and writ of certiorari and / or any other appropriate writ/direction under Article 226 of Constitution of India and direct the Respondent Nos.2 to 4 to decide the representation of the Petitioner dated 16.02.2018 as early as possible within a period of two weeks from date of order;
- b) pending the hearing and final disposal of the above said Writ Petition this Hon'ble Court may, by way of writ of mandamus and writ in the nature of mandamus appropriate

direction against respondents be issued and direct them not to grant any further permissions and sanctions under the provision of the Slum Act, 1971 on the plot of land bearing CS No.599 of Colaba Division, Block V (part) of Backbay Reclamation Scheme, Cuffe Parade, Colaba, Mumbai-400 005;

- c) ...
- d) ...”

2. However, the learned advocate for the petitioner has clarified that it is Respondent No.1 State/Principal Secretary (Housing), who should be directed to decide the representation of the petitioner dated 16.2.2018 and not the Slum Rehabilitation Authority. In view thereof, the following order is passed:

- a) Respondent No.1 / State i.e., the Principal Secretary (Housing) shall hear the representation of the petitioner dated 16.2.2018 within a period of eight weeks from the date of this order.
- b) The newly added respondent No.6 shall also be given a hearing before deciding the representation of the petitioner dated 16.2.2018.
- c) All contentions of the parties are kept open.

3. The above Writ Petition is disposed of accordingly.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)