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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7006 OF 2019**

Mr. Amit Nikhaidiram Kanojia

.....Petitioner

V/s.

The Apex Grievance Redressal
Committee and others

.....Respondent

Mr. Vinod S. Pandey i/b Mr. S. U Pandey for the Petitioner
Mr. Girish Utangale a/w Mr. Chetan Mhatre i/b Utangale & Co. for
respondent no. 2
Mr. P. P. Pujari AGP for the State
Mr. Rishi N. Mishra a/w Mr. Ankit S. Dubey for respondent no. 5

CORAM : NITIN W. SAMBRE, J.**DATE : JULY 5, 2019.****P.C.**

Heard.

2 The challenge to the eviction under Section 33/38 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 ('the Act' for short) and the order of Apex Grievance Committee, in addition to reasons recorded in the order passed today in Writ Petition No. 6991 of 2019, the ground which is

raised by the petitioner is, eligibility granted in favour of the petitioner is for residential premises, whereas his prayer for re-determination is pending before Grievance Redressal Committee as the petitioner is claiming to be eligible for a commercial premises.

3 If the aforesaid submissions are appreciated, if authority determines the eligibility of the petitioner to that of commercial premises, the petitioner will be entitled to lodge his appropriate claim after determining such eligibility for allotment, however, that by itself will not entitle the petitioner to continue with the possession of illegal structure. That being so, this petition also lacks merit, stands dismissed.

[NITIN W. SAMBRE, J.]