

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7134 OF 2015

Mr. Bharat Dagadu Adhatrao and Ors.	...Petitioners
Vs.	
The State of Maharashtra and Ors.	...Respondents

...

Mr.A.A. Joshi for the Petitioners.
 Mr.Sandeep Babar, AGP for the Respondent nos. 1 to 3 State.
 Mr.Sarang S. Aradhye for the Respondent No.4.

...

CORAM : A.A. SAYED &
RIYAZ IQBAL CHAGLA, JJ.

DATED : 8 APRIL 2019

P.C.:

The Petition has been filed seeking the following reliefs:

“A) That this Hon. Court may by issuing appropriate writ or order or direction may be pleased to prevent the Respondent No.2 from evicting the Petitioners from land bearing survey No.29, situated at Village Shegaon Dhumale, Taluka: Pandharpur, District: Solapur without due process of law;

B) That this Hon. Court may by issuing appropriate writ or order of direction may be pleased to direct the Respondents to rehabilitate the Petitioners as per provisions of Maharashtra Slum Area (Improvement, Clearance, Redevelopment) Act, 1971, before eviction;”

2. On 24 July 2015, by an ad-interim order this Court had restrained the Respondents from evicting the Petitioners from the land bearing Survey No.29 situated at Village Shegaon Dhumale, Taluka: Pandharpur, District: Solapur without following due process of law.
3. The Respondents are statutory authorities and would have to follow the process of law if the Petitioners are required to be evicted from the aforementioned land. In the circumstances, we allow the Petition in terms of prayer clause (A). We make it clear that rehabilitation of the Petitioners, if any, shall also be considered in accordance with law.
4. The Petition is disposed of in the aforesaid terms.

(RIYAZ IQBAL CHAGLA,J.)

(A.A.SAYED, J.)