

Dik / Nitin

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

WRIT PETITION NO. 11505 OF 2019

Bahuram Chabiraj Yadav

...Petitioner.

vs

Thane Municipal Corporation & Ors.

...Respondents

**WITH
WRIT PETITION NO. 12295 OF 2019
WITH
WRIT PETITION NO. 12296 OF 2019
WITH
WRIT PETITION NO. 12297 OF 2019
WITH
WRIT PETITION NO. 12298 OF 2019
WITH
WRIT PETITION NO. 12299 OF 2019
WITH
WRIT PETITION NO. 12300 OF 2019
WITH
WRIT PETITION NO. 12300 OF 2019
WITH
WRIT PETITION NO. 12301 OF 2019
WITH
WRIT PETITION NO. 12323 OF 2019
WITH
WRIT PETITION NO. 12324 OF 2019
WITH
WRIT PETITION NO. 12326 OF 2019
WITH
WRIT PETITION NO. 12327 OF 2019
WITH
WRIT PETITION NO. 12328 OF 2019
WITH
WRIT PETITION NO. 12365 OF 2019
WITH
WRIT PETITION (L) NO. 20604 OF 2019**

.....
Ms. Shruti Tulpule for the Petitioners in all Writ Petitions.
Mr. Jaydeep Thakkar for the Respondents in all Writ Petitions.
Mr Vijay Jadhav, Asstt Commissioner of Kalwa Ward present.
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**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.
DATED 03 DECEMBER, 2019.**

P.C. :

1. In the above Writ Petitions, the Petitioners have prayed for the following reliefs :

- “(a) *that Court may be pleased to issue a Writ of Mandamus, or any other Writ/ Order or Direction in the nature of Mandamus directing the Respondent Corporation to allot a commercial tenement to the Petitioner towards permanent alternate accommodation as per the Resolution No.66 dated 18th July, 2014 passed by the General Body of the Thane Municipal Corporation (being **Exhibit “G”** to this Petition;*
- (b) *Pending the hearing and final disposal of this Writ Petition, this Court be pleased to direct the Respondent Corporation to determine the eligibility of the Petitioner as per the policy of the Corporation in Resolution No.66 dated 18th July, 2014 passed by the General Body of the Thane Municipal Corporation (being **Exhibit “G”** to this Petition), based on the documents submitted by the Petitioner with Representation dated 14.3.2019 (being **Exhibit “F”** to this Petition.”*

2. Since the learned Advocate appearing for the Petitioners in all the above Writ Petitions have made a grievance that the representations made by the Petitioners have not been considered by the Municipal Corporation till date, we are, at this stage, not inclined to grant prayer clause (a) above. However, we direct the Deputy Commissioner (Estate) of Thane Municipal Corporation to decide the

representations made by the Petitioners in all the above Writ Petitions within a period of three weeks from today. He shall also give personal hearing to the Petitioners and / or their Advocates and shall also consider the written submissions, if any, filed by the Petitioners and pass appropriate orders on merits.

3. All contentions of the parties are kept open.
4. The Writ Petitions are accordingly disposed of.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)