

JPP

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

WRIT PETITION NO. 9765 OF 2018

Saibanna Bhimrao Pujari

... Petitioner

V/s.

State of Maharashtra and Ors.

... Respondents.

Mr. R.S. Kadam for the Petitioner

Mr. B.V. Samant, AGP for Respondent Nos.1,3 and 4.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.***

DATE : 19 JULY 2019.

P.C. :-

The Petitioner claims to be a project affected person and pleads that while laying down the Railway Line the Mumbai Metro Rail Corporation displaced the Petitioner.

2. In the Petition there are no averments concerning the exact place which the Petitioner was occupying. Needless to state, along the line of the proposed Metro Network encroachments were removed and not that the entire slum busti was demolished. The

documents filed alongwith the Writ Petition at best show that the Petitioner was residing in a slum at Saroputnagar, Prajapur Pada, Andheri (East), Mumbai.

3. Unless the Petitioner shows that he was occupying the Government land on which the Metro line passed by, resulting he being displaced, the Petitioner cannot claim a right to be rehabilitated.

4. We note that a Regional Complaint Redressal Committee has been constituted and the Petitioner approached the Committee which has rejected the claim.

5. The Petition is dismissed.

N.M. JAMDAR, J.

CHIEF JUSTICE