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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST) NO.37369 OF 2018
WITH
CIVIL APPLICATION NO.37372 OF 2018
IN
APPEAL FROM ORDER (ST) NO.37369 OF 2018

Sadashiv Shetty ... Appellant.
V/s.
Municipal Corporation of
Greater Mumbai and anr ... Respondents

Mr. Altaf Khan, for the appellant.
Mr. Reis, Senior Advocate a/w Mrs. Madhuri More, for respondents.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 10th JANUARY, 2019.

P.C. :

1] After arguing the appeal for some time, learned counsel for the appellant fairly concedes that the appeal may be disposed off with direction to the Deputy Municipal Commissioner, to decide the appeal filed by the appellant, challenging the rejection of his eligibility for permanent alternate accommodation, within 15 days with liberty to appellant to file additional compilation of documents after giving reasonable opportunity of hearing to appellant. He further submits that even if the decision of the said appeal goes against appellant, appellant will hand over vacant possession of the suit premises within

8 days thereafter.

2] In view of above, Appeal from Order is disposed off by following order.

Order

i) The Deputy Municipal Commissioner to decide the appeal preferred by the appellant challenging the order of rejection of his eligibility for permanent alternate accommodation within a period of 15 days from the date of this order.

ii) He shall permit the appellant to file additional compilation of documents and will give reasonable opportunity of hearing to both the parties, in support of their respective claims.

iii) If the order passed by the Deputy Commissioner goes adverse against appellant, then the appellant will hand over vacant possession of the suit premises within a period of 8 days, after communication of such order.

3] In view of disposal of Appeal from Order, pending Civil Application therein becomes infructuous and the same is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]