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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1635 OF 2019

Nitish Kishatappa Begar

... Petitioner

V/s.

Grievance Redressal Committee,
Mumbai City and Anr.

... Respondents

.....

Mr. Manmohan A. Dudhane a/w Mr. Arunkumar B. Kamer for the
Petitioner.

Mr. Manish Upadhye, AGP for the State-Respondent Nos.2, 4 and 5.

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CORAM : R.D. DHANUKA, J.

DATE : 12th JULY, 2019.

P.C.:

By this petition filed under Article 226 of the Constitution of India, the petitioner has impugned the Order dated 6th November 2017 passed by the respondent no.1, rejecting the appeal filed by the petitioner.

2. The petitioner claims to be occupant of Hut No.F-22, Ground Floor, Dr. Ambedkar Shatabdi Nagar, Sion Dharavi Link Road, Sion Railway Station, Dharavi, Mumbai 400 017, which is alleged to have been purchased by the petitioner from Mr. Mohammad Abdul Gani Shaikh on 19th August 2015.

3. The petitioner applied for transfer of the said Hut before the authority i.e. MHADA. The said application was rejected on the ground that no such Hut in respect of which the application was made for transfer is existed. The petitioner preferred an appeal against the said order before the Appellate Authority. The Appellate Authority has also rejected the said appeal by Order dated 25th April 2017 and upheld the decision of the respondent no.3. The petitioner thereafter filed Review Application before respondent no.1. The Grievance Redressal Committee rejected the said revision application filed by the petitioner by order dated 6th February 2018.

4. It is the case of the petitioner that the Hut purchased by the petitioner was in existence and based on such existence the name of the petitioner was shown as the occupant in the survey carried out by the authority.

5. With the assistance of the learned Counsel appearing for the parties. I have perused the records submitted alongwith the petition. The petitioner has not been able to demonstrate even before this Court in spite of giving sufficient opportunity to

demonstrate that the Hut F-22 alleged to has been purchased by the petitioner on 19th August 2015 is corresponding to the Hut No.J206. The predecessor in title of the petitioner was also found ineligible. The predecessor of the title did not challenge the said order of ineligibility passed by the authority.

6. Learned Counsel for the petitioner invited my attention to the electricity bill annexed at page 108 of the petition. In support of the submission that the said electricity bill produced by him was in respect of the said Hut. A perusal of the said electricity bill also indicates that the address mentioned thereon is of Hut No.F-22, Ground Floor, Dr. Ambedkar Shatabdi Nagar, Sion Dharavi Link Road, Sion Railway Station, Dharavi, Mumbai 400-017.

7. In my view, the findings of facts rendered by the three authorities below not being perverse cannot be interfered by this Court in this Writ Petition No. 1635 of 2018 filed under Article 226 of the Constitution of India. The petition is devoid on merits and is accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)