

Mr. Omar Khaiyam Shaikh for Petitioner.
Mr. S. B. Gore, AGP for Respondents-State.
Ms Asha Nair i/b. Diamondwalla & Co. for Respondent No.6.

P.C. :

2. As the regular Court presided over by Hon'ble Mr. Justice R. D. Dhanuka is not available today, petitioner has moved this Court as per the administrative order passed by the Hon'ble the Chief Justice.

3. Heard Mr. Shaikh, learned Counsel for the petitioner, Mr. Gore, learned AGP, learned Counsel for respondents-State and Ms Nair, learned Counsel for the respondent No.6.

1/2

(for short 'Society') and M/s. Omkar Realtors Projects Private Limited (for short 'Developer') and directed respondent No.7 herein to vacate the property in dispute within 48 hours and handover possession to the Society and the Developer, failing which action under Section 38 of the Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971 was directed to be initiated and the expenses incurred in that regard were to be recovered from him.

5. Mr. Shaikh states that petitioner is present in the Court. He has tendered photocopy of petitioner's Aadhar Card, which is taken on record and marked 'X' for identification. On instructions, he submits that petitioner will not press this Petition if appropriate directions are issued to the Additional Collector / Appellate Authority, Mumbai City to decide application dated 11.12.2017 made by the petitioner for verification of his eligibility. Mr. Gore, on instructions, states that within two months from today, Additional Collector will determine the eligibility of the petitioner and will not seek further extension of time in that regard.

6. In view thereof, Petition is disposed of as not pressed. Additional Collector, Mumbai City shall decide application dated 11.12.2017 (exhibit-B, pages 20 to 28) within 2 months from today in accordance with law and on the basis of the material produced on record. All contentions of the parties in that regard are expressly kept open. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab