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

WRIT PETITION (LODGING) NO.2116 OF 2019

Mrs.Salma M. Shah	...Petitioner
V/s.	
The Assistant Municipal Commissioner, & Ors.	...Respondents

Mr.Abhinandan Vagyani with Mr.Pankaj K. Kandhari for the Petitioner.

Mr.R.Y. Sirsikar for the Respondent No.1.

Mr.Vijay D. Patil with Mr.Saurabh Kurade for the Respondent No.2 –
S.R.A.

Mr.G.S. Godbole with Mr.Yogendra Kanchan for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 18TH JULY, 2019.

P.C. :-

1. Mr.Vagyani, learned counsel for the petitioner on instructions states that his client would file an appeal before the Additional Collector, Collectorate Office, Mumbai City under section 35 of the Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971 (for short "Slum Act") and seeks liberty to withdraw this writ petition on that ground.

2. Mr.Godbole, learned counsel appearing for the respondent no.4 on instructions states that though by the impugned order dated 13th July, 2019 passed by the authority, the petitioner has been

instructed to vacate within ten days from the date of the said order, his client will not enforce the said order dated 13th July, 2019 till 25th July, 2019 till 5:00 p.m. The statement is accepted.

3. The writ petition is dismissed as withdrawn with liberty to file an appeal under section 35 of the Slum Act before the Appellate Authority. It is made clear that no extension of stay would be granted by this Court. The petitioner would be at liberty to apply for extension of stay before the Appellate Authority after giving 48 hours advance notice to the respondent no.4. It is made clear that this Court has not expressed any views on the merits of the matter. All contentions of both the parties are kept open.

(R.D. DHANUKA, J.)