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

WRIT PETITION (LODGING) NO.2118 OF 2019

Sujata K. Thakur & Ors.	...Petitioners
V/s.	
The Chief Officer, Mumbai Building Repairs & Reconstruction Board & Ors.	...Respondents

Mr.Kishor Patil with Mr.Pratik B. Rahade for the Petitioners.

Ms.Sonali Sable I/b Mr.Kamlesh Ghumre or the Respondent Nos.1, 2
and 5.

Mr.Sukanta Karmakar, A.G.P. for the State – Respondent No.4.

CORAM : R.D. DHANUKA, J.
DATE : 18TH JULY, 2019.

P.C. :-

1. Mr.Patil, learned counsel appearing for the petitioners invited my attention to the order dated 17th June, 2019 in Writ Petition (Lodging) No.1772 of 2019 permitting the petitioners to withdraw the said writ petition with liberty to file an appeal against the impugned order which was the subject matter of the said writ petition with liberty to file an appeal before the respondent no.5. Learned counsel states that the petitioners have already filed an appeal before the respondent no.5 on 20th June, 2019. The respondent no.5 however, has not decided the said appeal till date including the stay

application.

2. The respondent no.5 is accordingly directed to dispose of the said appeal preferred by the petitioners within eight weeks from today after hearing the petitioners and shall pass an order in accordance with law. The order that would be passed by the respondent no.5 shall be conveyed to the petitioners. If the order that would be passed by the respondent no.5 is against the petitioners, the same shall not be implemented for a period of two weeks from the date of communication of the said order. It is made clear that all the contentions of both the parties are kept open. It is made clear that this Court has not expressed any views on the merits of the matter.

3. The writ petition is disposed of on aforesaid terms. There shall be no order as to costs.

4. Interim protection granted by this Court by an order dated 17th June, 2019 to continue during the pendency of the appeal along with the stay application preferred by the petitioners and for a period of two weeks from the date of communication of the order.

5. All parties as well as the concerned Authority to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)