

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

WRIT PETITION (L) NO.2918 OF 2018

Chandrakant Morje

... Petitioner

Vs

Mumbai Metropolitan Region Development
Authority & Ors.

... Respondents

Mr.K.S. Yadav with Mr.Ankit Dubey & Ms.Anu C.K. i/b R.N. Mishra
for the Petitioner

Mr.Kavita N. Solunke for Resp. No.1

Ms.Sheetal Metakari for MCGM

Mr.Himanshu takke, AGP, for Respondent Nos.3 to 5

Mr.Suhas Ahire, Assistant Community Development Officer,
MMRDA – present

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: AUGUST 14, 2019

P.C.:

1. By the above Writ Petition, the petitioner seeks directions against respondent Nos.1 to 4, to allot alternate accommodation to the petitioner in lieu of his structure which was located at Birjewadi Sahar Road, Andheri (East), Mumbai-400099. Admittedly, the petitioner was held eligible for alternate accommodation and accordingly his name was shown in annexure II at serial No.41 by respondent No.4. However, his structure was demolished at one

stage by MMRDA, which is Respondent No.1 and at some stage by the respondent No.2 – Corporation. Both respondent Nos.1 and 2 have submitted that it is not their responsibility to allot alternate accommodation to the petitioner and have tried to shift the responsibility on each other.

2. Since MMRDA has held that the petitioner is eligible to receive an alternate accommodation and have accordingly included his name in Annexure II and further since MMRDA was also responsible for demolishing the structure of the petitioner, MMRDA is directed to allot and hand over permanent alternate accommodation to the petitioner, as per the applicable provisions. Mr.Suhar Ahire, Assistant Community Development Officer of MMRDA is present in Court. He on behalf of MMRDA undertakes to hand over permanent alternate accommodation to the petitioner within a period of six weeks from today.

3. The above Writ Petition is disposed of accordingly.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)