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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4291/2021

Bhalchandra Dattatram Palkar Petitioner

Vs.

Additional Chie Officer,
Pogga Department & Ors. Respondents

Mr. Shivaji A. Masal for the Petitioner
Ms. Sharmila Deshmukh for Respondent No.1 - MHADA

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : SEPTEMBER 8, 2021

P.C.

1 Heard. The learned counsel for the Petitioner submits that by this Writ Petition under Article 226 of the Constitution of India, they are seeking a limited prayer against Respondent No.1 to decide their Application dated 17.04.2013 pending before the High Power Committee of the MHADA. He submits that, at present, he does not have an acknowledgment to prove that the said Application is filed with the High Power Committee.

2 After arguing for some time, the learned counsel for the Petitioner seeks permission to file a fresh Application before the High Power Committee for the same cause of action with direction to the High Power Committee to decide

the same as early as possible.

3 The learned counsel for Respondent No.1 submits that they have no objection for the same. He submits that they shall decide the same as early as possible, on merits, after hearing all the parties.

4 Hence, the following order is passed:

a. The Petitioner is permitted to file a fresh Application before the High Power Committee of the MHADA for the same cause of action, within 3 weeks from today.

b. If such an Application is filed, Respondent No.1 shall decide the same as early as possible on merits, but in any case, on or before 30.09.2021 after hearing all the parties.

c. With these directions, the Writ Petition stands disposed of.

d. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)