

Urmila Ingale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2191 OF 2021

Nirhu Shivad Pal	Petitioner
Vs.	
Mumbai Metropolitan Region & Development Authority and ors.	 Respondents

Mr.Nitesh Acharya, Ms.Rasheeda Khan i/b Altaf Khan, for the
Petitioner.
Mr.Akshay Shinde, for Respondent No.1.
Mr.P.P. Pujari, AGP for the Respondents No. 2 to 5 – State.

CORAM : M. S.KARNIK, J.

DATE : 12th JULY, 2021

P.C. :

. Heard learned Counsel for the Petitioner. It is pointed out that against the impugned order dated 26/07/2019 passed by the Additional Collector and order dated 24/05/2021 passed by the Deputy Collector which according to the learned Counsel is an exparte order, the Appeal has been filed before the Grievance Redressal Committee, Mumbai Suburb, ('GRS' for short) being Appeal No. 319 of 2021 on 22/06/2021. In this view

of the matter, it is therefore now for the Petitioner to agitate the grievances raised in the Petition before the Appellate Authority.

2. Keeping all contentions open, the Petition is disposed of in view of the filing of the Appeal.

3. If the Petitioner has filed an application for stay before GRC , the same will obviously be considered on its own merits in accordance with law. If such an application has not been filed, the Petitioner to file the application for stay within a period of one week from today. GRC is requested to decide the application for stay within a period of 4 weeks from today. For a period of 4 weeks from today, interim order granted by this Court shall continue.

4. It is made clear that I have not expressed any opinion on merits of the controversy and even the application for stay to be decided on its own merits without being influenced by the grant of the limited protection granted. Petition is disposed of.

(M.S.KARNIK, J.)