

Urmila Ingale

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

WRIT PETITION NO. 4719 OF 2018

Smt. Prema Vishwanath Garje	Petitioner
Vs.	
State of Maharashtra and anr.	 Respondents

Mr.Maheshwar A.Parab i/b Mr.Pravartak Pathak, for the Petitioner.
Mrs.V.S.Nimbalkar, AGP for the Respondent – State.

CORAM : M. S. KARNIK, J.

DATE : 19th MARCH, 2021

P.C. :

. Heard learned Counsel for the Petitioner. The Petitioner – the slum dweller by this Petition is challenging the order dated 31/03/2017 passed by the Additional Collector rejecting the Appeal filed by the Petitioner on the ground that the Petitioner could not produce any document prior to 01/01/2011 which was the datum line to establish the non-residential use.

2. Learned Counsel for the Petitioner invited my attention to the policy dated 06/02/2018 as per which according to him the Petitioner is entitled to be considered as eligible under

the scheme. He submits that the Petitioner has documents to show that prior to 01/01/2011, the structure was in existence. He therefore seeks liberty to file application before the Competent Authority - Respondent No.2 under the Slum Rehabilitation Act, 1955. Liberty is granted to the Petitioner to file application in terms of G.R. dated 16/05/2018. If the application is filed, the same shall be considered on its own merits in accordance with the terms of the policy.

3. In view of above, Writ Petition is disposed of.

(M.S.KARNIK, J.)

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