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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2263 OF 2019**

Dhiraj Bhailal Singh ... Petitioner
Versus
The State of Maharashtra and Anr. ... Respondents

Mr. Rakesh Agrawal, for Petitioner.
Mrs. Jyoti Chavan, AGP, for State.

**CORAM: S.J. KATHAWALLA &
SURENDRA P. TAVADE, JJ.**

**DATE: 3rd NOVEMBER, 2021
(VACATION COURT)**

P.C.:

1. The Petitioner was not found in the hut which he claims to be his, when the survey was carried out in the year 2012. The learned Advocate for the Petitioner states that he came to know about the survey and the action to be taken by the Respondent No.2 in the year 2016. The Petitioner filed the above Writ Petition in the year 2019 and since then made no Application before the regular Court for the Writ Petition to be taken up urgently and/or seeking urgent ad-interim reliefs. The Petitioner is now seeking urgent relief i.e. to restrain the Respondent No.2 from demolishing his hut, which if granted will stall the entire redevelopment project. In view thereof, no urgent relief is granted. However, all the steps taken by the

Respondent No.2 shall be subject to the further orders passed by this Court.

2. The learned Advocate for the Petitioner now states that the Writ Petition may be disposed of only with a direction to the Respondent No.2 to have his hut measured before the same is demolished. Ordered accordingly. It is clarified that the Petitioner's hut will be measured without prejudice to the rights and contentions of the Respondent No 2.

3. The Writ Petition is accordingly disposed of.

(SURENDRA P. TAVADE, J.)

(S.J.KATHAWALLA, J.)