

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

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WRIT PETITION NO.2181 OF 2018

Nilkantheswar Rahivashi Seva Sangh Petitioner

Vs.

Municipal Corporation of Gr. Mumbai
and Ors. Respondents

WITH
WRIT PETITION NO.594 OF 2019

Shankar Mohan Kadam & Ors. Petitioner

Vs.

Municipal Corporation of Gr. Mumbai
and Ors. Respondents

WITH
WRIT PETITION NO.441 OF 2019

Chauhan Savitridevi Phakirchand & Ors. Petitioner

Vs.

Municipal Corporation of Gr. Mumbai
and Ors. Respondents

Mr. P. M. Havnur a/w. Sanjay Kharat for the Petitioners in
Writ Petition 2181/2018 and 594/2019

Mr. Digvijay S. Patil I/b. Mr. Pankaj P. Devkar for the
Petitioner in Writ Petition 441/2019.

Ms. Dhruti Kapadia a/w. Vandana Mahadik for the Municipal
Corporation

Mr. Hemant Haryan AGP for the State in Writ Petition
2181/2018

Mr. S. B. Gore, AGP for the State in Writ Petition 441/2019

Mr. Sukunta Karmakar, AGP for the State in 594/2019

**CORAM: A.A.SAYED &
ABHAY AHUJA, JJ.**

DATED : DECEMBER 10, 2021

P.C.

1 We note that in the order dated 12th April 2019 in PIL (L) No.10 of 2018, the First Court, in paragraph No.5 has issued the following directions:

“5. Such persons who are aggrieved by non inclusion of their names in the list of persons entitled to rehabilitation would be entitled to file applications along with relied upon documents in the office of the Additional Municipal Commissioner (Eastern Suburb), Mumbai. The Additional Municipal Commissioner (Eastern Suburb), Mumbai shall give in writing a date for hearing to the person. On the date and time notified to the person, the Additional Municipal Commissioner (Eastern Suburb), Mumbai shall ensure that the Committee assembles and grants a hearing to the person. Reasoned order would be passed and would be supplied, duly authenticated, to the applicant. Such applicant who is aggrieved by the rejection would be entitled to file a writ petition in this Court challenging the rejection.”

2 In view of the above, we direct the Petitioners to file applications along with the documents in the Office of the Additional Municipal Commissioner (Eastern Suburb), Mumbai. The Additional Municipal Commissioner (Eastern Suburb), Mumbai shall give in writing a date of hearing. The Additional Municipal Commissioner (Eastern Suburb), Mumbai shall ensure that the Committee assembles and grants a hearing to the Petitioners and a reasoned order would be passed by the Committee. In the event, the

Petitioners/ Applicants are aggrieved they would be entitled to file a writ petition challenging the rejection.

3 With the aforesaid directions, the Writ Petitions are disposed of.

(ABHAY AHUJA, J.)

(A.A.SAYED, J.)