

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 8492 OF 2021**

Waman P. Hule & Anr.

... Petitioners

V/s.

AGRC, Through Chairman & Ors.

... Respondents

Mr.Sanjeev Bapu Deore for Petitioners.

Mr.J.G. Reddy (Aradwad) for Respondent Nos.1 & 2.

Mr.C.D. Mali, A.G.P for Respondent No.3 (State).

Mr.Santosh Parad for Resondent No.4 (MCGM).

Mr.Chirag Balsara a/w. Mr.Abhijit Patil for Respondent No.5.

CORAM : A.S. GADKARI, J.**DATE : 21st March 2022.****PC. :**

1. The application filed by the Petitioners bearing Application No. 19 of 2021 is pending for final hearing before the Apex Grievance Redressal Committee i.e. Respondent No.1 herein. The said Committee is seized of the issue involved in the said application and as has been raised by the Petitioners before it.

2. It is the contention of the learned counsel for the Petitioners that, though there is no final certification of Annexure-II of the eligible persons in rehabilitation scheme of Respondent No.5, the Respondent No.2 has issued Letter of Intent dated 28th January 2022 and therefore the Respondents will

proceed to demolish the hutments of the Petitioners and other illegible hutment dwellers without following due process of law.

3. It prima-facie appears that, the said contention is pre-mature. Even para Nos.12 and 13 of the Letter of Intent dated 28th January 2022 takes care of the contentions and/or apprehensions of the Petitioners in that behalf. It is needless to mention that, the Respondent Nos.2, 3 and 4 shall follow the letter of law in its proper perspective and spirit and even otherwise Application No. 19 of 2021 filed by the Petitioners is pending for final adjudication before the Respondent No.1.

4. In view of the above, this Court thinks it appropriate to relegate the Petitioners to the Respondent No.1 for raising all their contentions including the contention of impleading or accepting eligible members in Respondent No.5-Society's scheme by either Respondent No.5-Society or Respondent No.6-Developer.

5. Petition is accordingly disposed off.

[A.S. GADKARI, J.]

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