

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9308 OF 2022

Rajmma Vardharaj Devendra & Ors. ... **Petitioner**
Versus
Tahasildar 1 (special Cell) & Ors. ... **Respondents**

Ms. Archana P. Gaikwad, Advocate for the Petitioners.

Mr. Uma Palsuledesai, Advocate for Respondent Nos.1 and 2(SRA)

Mr. A. S. Pandhire, Advocate for Respondent No.4.

Mr. Saurabh Pakale i/b. Mr. Dinesh Shinde, Advocate for Respondent.

Ms. M. P. Thakur, AGP for the Respondent/State.

**CORAM: S.V. GANGAPURWALA &
 A. S. DOCTOR, JJ.**

DATED : AUGUST 1, 2022

P.C.

1. We have heard learned Counsel for the petitioner and learned Counsel for the respondents and learned AGP.

2. The grievance of the petitioner is that 48 hours notice has been given for demolition and vacating the premises. According to the learned Counsel, some of the occupants have filed appeal before the Apex Grievance Redressal Committee. Though the appeal is preferred on 25th July, 2022 no order has been passed, that cannot be a ground for the petitioner for not availing the remedy of appeal.

3. Considering the contingencies involved, we pass the following order :

ORDER

- i) The petitioner may file appeal before the Apex Grievance Redressal Committee.
- ii) For a period of seven days from today, the impugned notice shall not be implemented against the petitioner so as to enable the petitioner to approach the Appellate Authority and seeks necessary orders on merits.
- iii) Needless to state that on lapse of seven days, protection as granted by this Court shall come to an end.
- iv) The writ petition is disposed of. No costs.

(A. S. DOCTOR, J.)

(S.V. GANGAPURWALA, J.)

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