

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER No. 1093 OF 2019****WITH****INTERIM APPLICATION No. 3072 OF 2019**VAISHALI
ANIL
TIKAMDigitally signed
by VAISHALI
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Date:
2022.05.06
13:03:54 +0530**Rehamunissa W/o. Shahid Ali Sayyed****...Appellant****Vs.****M.C.G.M.****...Respondent***** * * *****Mr.Rakesh Singh i/b. K.R. Tiwari & Co. for Appellant****Mr. R.Y. Sirsikar for Respondent -MCGM****Coram : Sandeep K. Shinde, J.****Dated: 4th MAY, 2022.****P.C. :**

1. Heard learned counsel for the parties.
2. Mr. Sirsikar has placed on record the order dated 12th February, 2022 passed by the Deputy Commissioner, Division VI, Mumbai Municipal Corporation, Mumbai. Copy of order is taken on record and marked 'X-1' for identification.
3. Vide order at Exhibit X-1, Wajid Ali Sayyed Shahid Ali and Smt. Rehamunissa Shahid Ali Sayyed were held eligible for alternate accommodation in lieu of Notice Construction No. 168

in respect of which, notice was issued by the Corporation under Section 488 of the BMC Act.

4. In consideration of this fact, appeal succeeds. As a result, the impugned order dated 21st November, 2019 passed in Draft Notice of Motion in L.C. Suit (St). No. 12317/2019 is quashed and set aside. Appeal is allowed and disposed of in the aforesaid terms including all applications therein.

(Sandeep K. Shinde, J.)