

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

WRIT PETITION NO. 742 OF 2021

Shri Anil Surajman Shukla and 10 Ors. ... Petitioners

Versus

The Municipal Commissioner,
Mumbai Municipal Corporation and 2 Ors. ... Respondents

Mr. Amarendra Mishra for Petitioners.
Mr. Sakhare for Respondents-MCGM.

CORAM	:	A. A. SAYED & ABHAY AHUJA, JJ
DATE	:	4TH MAY 2022

PER COURT :-

1. Petitioners have filed this Petition seeking implementation of the common order dated 16th April, 2018 of this Court in Writ Petition No. 3090 of 2017 affirmed by the Hon'ble Supreme Court vide judgment dated 31st January, 2020 in SLP (C) No. 1865 of 2018 alongwith connected SLPs for allotment of alternate accommodation in a time bound manner. Petitioners have also prayed for provision of equitable compensation for causing loss of business for three years and hardship by illegally demolishing Petitioners' respective structures.

2. On 20th January, 2021 Division Bench of this Court (Coram: R.D. Dhanuka & V. G. Bisht, JJ) had passed the following order:-

“P.C.:

1. *By this petition filed under Article 226 of the Constitution of India, the petitioners seek an order and direction against the respondents to comply with a common order dated 16th April, 2018 passed by this Court in Writ Petition (L) No. 3089 of 2017 and other connected Writ Petitions.*

2. *All these petitioners had filed separate petitions which were heard together by this Court and were disposed by common judgment dated 16th April, 2018. As far as these petitioners are concerned, they are seeking compliance of the directions issued by this Court in paragraph No. 14 (ii) of the said judgment at page Nos. 61 and 62 of this petition.*

3. *Perusal of the said order dated 16th April, 2018 clearly indicates that as regards these petitioners, the Municipal Corporation was directed to allot the tenements having the size of equal to that of their demolished tenements with direction that the premises offered shall be in the vicinity of the demolished premises and shall have a frontage on any of the main roads.*

4. *This Court had further directed that the allotment of the premises shall be made to the petitioners as expeditiously as possible and in any event on or before 30th June, 2018 free of cost.*

5. *Our attention is invited to the order passed by the Hon’ble Supreme Court in Special Leave Petition (L) No. 18065 of 2018 and other connected Special Leave Petitions impugning the said common order passed by this Court.*

6. *By common judgment and order dated 31st January, 2020, the Hon’ble Supreme Court has dismissed all those Special Leave Petitions filed by the Mumbai Municipal Corporation.*

7. *The judgment delivered by this Court has attained finality. It is the grievance of the petitioners that though the said judgment of this Court has attained finality as far back as on 31st January, 2020, the Municipal Corporation has not complied with the order which is causing hardship to the*

petitioners.

8. *In our view, since the judgment delivered by this Court has attained finality, the respondents- Municipal Corporation are bound to comply with the said judgment by allotting the tenements in the mode and manner as prescribed in the said judgment.*

9. *However, with a view to give an opportunity to the Municipal Corporation to make a statement before this Court as to when the judgment delivered by Division Bench of this Court dated 16th April, 2018 would be complied with and only for that limited period, place this matter **High on Board** for direction on **1st February, 2021.***

3. By the aforesaid order, this Court had given an opportunity to the Municipal Corporation to make a statement as to when the judgment dated 16th April, 2018 of this Court in Writ Petition no. 3090 of 2017 would be complied with and the matter was placed for directions on 1st February, 2021.

4. On 1st February, 2021, this Court passed the following order:-

“PC:-

1. On 20th January, 2021, this Court passed an order with a view to give an opportunity to the Municipal Corporation to make a statement before this Court as to when the judgment delivered by the Division Bench of this Court dated 16th April, 2018 would be complied with.

2. Mr.Sakhare, learned senior counsel for the respondents, on instructions, tenders a chart and would submit that Municipal Corporation is ready and willing to offer any of one of two premises mentioned in (1)(A) and (1)(B) or in lieu of the premises, monetary compensation as per prevailing policy. He agrees to furnish another chart to the petitioners’ counsel during the course of day to indicate the

area of such property that would be offered to the petitioners. Statement is accepted.

3. Learned counsel for the petitions agrees to visit these two premises mentioned in (1)(A) and (1)(B) tomorrow at 11.00 a.m. in the presence of Mr. Patil, Assistant Engineer of the Municipal Corporation who would remain present for offering the inspection of the premises to the petitioners.

4. If there is any dispute about the area which the petitioners are entitled according to the order passed by this Court and the area offered by the Municipal Corporation and the suitability of the premises, the petitioners shall point out such dispute to the Municipal Corporation by tomorrow evening.

5. Place the matter High on Board on 3rd February, 2021."

5. The statement of Mr. Sakhare, learned Senior Counsel for the Respondent, on instructions, is recorded therein that the Respondent – Corporation was ready and willing to offer any one of two premises mentioned in (1)(A) and (1)(B) of the chart tendered by him or in lieu thereof, monetary compensation as per prevailing policy would be offered. Learned Senior Counsel had agreed to furnish the details of the area of the property. It is also recorded in the said order that learned Counsel for the Petitioners would visit the two premises on 2nd February, 2021 at 11.00 a.m. and if there was any dispute about the area or the suitability thereof and the area offered by the Municipal Corporation, the Petitioners would point out the same.

6. Thereafter, on 3rd February, 2021, the following order came to be passed :-

“PC:-

1. Pursuant to the order passed by this Court on 1st February, 2021, the Municipal Corporation has offered two premises and has given inspection thereof to the petitioners on 2nd February, 2021. The petitioners have inspected the said premises offered to the petitioners and have produced the photographs before this Court. It is submitted by the learned counsel for the petitioners that the premises offered by the Municipal Corporation are not suitable and are not in accordance with the judgment of this Court dated 16th April, 2018 and more particularly paragraph 14 (ii), (iii) and (iv).

2. The Municipal Corporation is accordingly directed to inform any other suitable premises within two weeks from today to the petitioners.

3. On the last date, learned senior counsel for the Municipal Corporation had tendered a proposal which includes an option to offer monetary compensation as per the prevailing policy. Without prejudice to the rights and contentions of the Municipal Corporation and the petitioners, the Municipal Corporation shall indicate such monetary compensation as per the prevailing policy in lieu of the alternate premises to the petitioners within one week from today. The petitioners would be at liberty to consider the said monetary compensation and if are satisfied with the same, convey their say on the said monetary compensation as may be offered by the Municipal Corporation on the next date.

4. Place the matter on board for directions on 11th February, 2021.”

7. In the above order, it was recorded that Petitioner’s Counsel submitted that the premises offered by the Municipal Corporation were not suitable and were not in accordance with the judgment of this Court dated 16th April, 2018 and more particularly paragraph-14

(ii) (iii) (iv). The Municipal Corporation was accordingly directed to inform of any other suitable premises within two weeks and also to indicate the monetary compensation as per prevailing policy to provide alternate premises to the Petitioners within one week. This Court also recorded that the Petitioners would also be at liberty to consider the said monetary compensation and if they were satisfied with the same they would convey the same on the next date.

8. Thereafter, on 20th July, 2021 following order came to be passed:-

“PC:-

1. Learned Counsel for the Respondent-Corporation seeks time to file Affidavit-in-Reply. The Affidavit-in-Reply of the Respondent-Corporation shall inter alia list out the various choices of premises which can be allotted to the Petitioners pursuant to the common order dated 16 April 2018 in Writ Petition (L) No. 3089 of 2017 of the Division Bench of this Court, which order has been confirmed by the Supreme Court. Learned Counsel for the Petitioners states that the Petitioners are ready to accept any suitable premises in the vicinity.

2. List the Petition on 3 August 2021.”

9. On 10th August, 2021, the following order was passed by this Court:-

“PC:-

1. The Respondent-Corporation to file Affidavit-in-Reply in the Registry within two days from today. Learned Counsel

for the Respondent-Corporation states that in the event the Petitioners contact the officers, whose name and telephone numbers are mentioned in the list which is annexed to the Affidavit-in-Reply, the Petitioners shall be given inspection of the premises if they so desire.

2 Stand over to 24 August 2021.”

10. The Municipal-Corporation filed its Affidavit-in-Reply dated 9th August, 2021 on 11th August, 2021 placing on record the proposed options of alternate premises as well as details of the monetary compensation offered as against the alternate premises to Petitioners. In Exhibit-B to the said Affidavit being communication dated 4th February, 2021, the monetary compensation that would be offered to Petitioners in lieu of alternate premises was stated. It is also stated in the said communication that the said compensation was as per the specified policy for monetary compensation as per circular no. AC/Mkt/31724/AEM dated 6th February, 2019 and as per the said policy, the eligible PAP's having eligibility as on 01.01.1962 were entitled to 100% compensation as against the area and the eligible PAPs having eligibility as on 01.01.1995 were entitled to 75% compensation as against the area and that the amounts mentioned in the said communication were calculated considering Petitioners' eligibility as per 01.01.1995 i.e. being eligible for 75% compensation as against the area.

11. Thereafter, the matter came to be adjourned to enable parties to work out the alternative of suitable monetary compensation in lieu of premises suggested.

12. On 11th February, 2022 Counsel for Petitioners has tendered across the bar a monetary compensation chart dated 11th February, 2022 reflecting the monetary compensation agreeable to the Petitioners, which is calculated on the basis of 100% compensation as against the area of the premises occupied by the Petitioners.

13. This Court has from time to time adjourned the matter to enable the Counsel for the Corporation to consider the monetary compensation as per the chart submitted by Counsel for Petitioners. However, Mr. Sakhare, learned Senior Counsel today submits under instructions that it would not be possible for the Corporation to grant compensation @ 100% as suggested by the Petitioners and the Corporation is willing to pay compensation @ 75% only as stated in the communication dated 4th February, 2021 being Exhibit-B to the Affidavit-in-Reply of the Corporation.

14. We have heard learned Counsel for the Petitioners and learned Senior Counsel for the Respondent-Corporation and have given our anxious consideration to the rival contentions.

15. It can hardly be disputed that the tenements of the Petitioners were wrongfully demolished by the Corporation and by order dated 16th April, 2018, Municipal Corporation was directed to allot the tenements having size equal to that demolished tenements with the direction that the premises offered shall be in the vicinity of the demolished premises and shall have a frontage on any of the main roads. This Court had directed that the allotment of the premises be made to Petitioners as expeditiously as possible and in any event before 30th June, 2018. Thereafter, in Special Leave Petition filed by the Municipal Corporation in SLP (C) No. 18065 of 2018 alongwith connected Petitions, the Hon'ble Supreme Court in its judgment dated 31st January, 2020 observed as under:-

“5. While what is stated above, was the case of the petitioners in W.P. No. 3090 of 2017, the case of the petitioners in the other writ petitions was that they are tenants in respect of the 11 structures put up in the premises and that they have been forcibly evicted and the structures demolished without following due process of law.

7. After considering the pleadings and the contentions advanced on both sides, the High Court found that it was not

even the case of the Municipal Corporation that they followed due process of law before demolishing the structures and that the action of the Municipal Corporation in demolishing the superstructures and taking forceful possession was high handed. But instead of granting the relief of restitution, the High Court granted one set of reliefs to the persons claiming to be the owners of the land and another set of reliefs to the tenants. It is enough to extract the operative portion of the order of the High Court to show the nature of the reliefs granted. It reads as follows:

- “(i) It will be open for the petitioners in Writ Petition (L) No.3090 of 2017 to make an Application to the Municipal Commissioner for grant of TDR (Transferable Development Rights)/DRC (Development Right Certificate) in respect of the area out of the road widening. If such an Application is made, the Municipal Corporation or its appropriate authority shall decide the same within a period of 60 days from the date of filing of the Application. The decision taken thereon shall be communicated to the petitioners immediately thereafter. We clarify that we have made no adjudication on the title claimed by the said petitioners;*
- (ii) As regards the petitioners in all the other Writ Petitions, we direct the Mumbai Municipal Corporation to allot to the said Petitioners tenements having the size equal to that of their demolished tenements. The premises offered shall be in a vicinity of the demolished premises. The premises shall be such that the same will have a frontage on any of the main road;*
- (iii) The allotment of the premises shall be made to the said Writ Petitioners as expeditiously as possible and in any event on or before 30 June, 2018;*
- (iv) We make it clear that the allotment will have to be made free of cost. However, it will be open for the Municipal Corporation to impose appropriate terms and conditions;*
- (v) The Petitions are disposed of with the aforesaid directions;*
- (vi) All concerned to act upon an authenticated copy of this order.*

8. Before proceeding further, it must be recorded that the High Court was actually convinced to order restitution, but the High Court refrained from doing so only due to the fact that a public road had already been constructed on the land. In other words, the High Court actually balanced the private interests of the respondents-herein and the public interest.

9. Despite the fact that the High Court merely granted limited reliefs and despite the fact that even according to the Corporation, four out of eleven tenants were eligible for alternative accommodation, which was in fact offered to them, the Municipal Corporation came up with twelve special leave petitions against the common order passed in twelve writ petitions. The only substantial questions of law sought to be raised by the petitioners were (i) whether the High Court could have overlooked the readiness and willingness on the part of the Municipal Corporation to grant the benefit of TDR to the original owner of the plot of land; and (ii) whether the High Court was right in overlooking the prescription of a Regular Line way back in the year 1974 for the widening of the road from 5 meters to 13.40 meters.

10. Though the aforesaid questions would not technically qualify as substantial questions of law of public importance, this Court ordered notice in the special leave petitions and also granted a stay of operation of the impugned judgment, on 30.07.2018 when the special leave petitions came up for hearing.

11. Subsequently on 05.12.2018 this Court disposed of four special leave petitions which arose out of writ petition Nos.3087, 3089, 3092 and 3095 of 2017, on the short ground that the Municipal Corporation had itself found the petitioners therein to be eligible for allotment of alternate accommodation. After so disposing of four out of twelve writ petitions on 05.12.2018, this Court proceeded to direct the Secretary of the Bombay High Court Legal Services Committee to examine the relevant records and to submit a report about the eligibility of the other tenants to alternate accommodation. This order was passed in view of the stand taken by the Municipal Corporation that the other tenants were not eligible for alternate

accommodation as per the guidelines of the Mumbai Municipal Corporation. It will be useful to extract the order dated 05.12.2018 passed by this Court as follows:

“Applications seeking exemption from filing official translation of Annexures are allowed.

Heard the learned Senior counsel appearing for the petitioners and the learned counsel appearing for the respondents.

The respondents-herein filed Writ Petitions before the High Court of Judicature at Bombay claiming that they are the owners of the land and structures which were taken away by the Mumbai Municipal Corporation for widening of road without paying any compensation to them.

After hearing the parties, the High Court has disposed of the Writ Petitions with the following directions which are extracted below:- (i) xx xx xx xx

(ii) As regards the petitioners in all the other Writ Petitions, we direct the Mumbai Municipal Corporation to allot to the said petitioners tenements having the size equal to that of their demolished tenements. The premises offered shall be in the vicinity of the demolished premises. The premises shall be such that the same will have a frontage on any of the main roads;

(iii) The allotment of the premises shall be made to the said Writ Petitioners as expeditiously as possible and in any event on or before 30th June, 2018.

(iv) We make it clear that the allotment will have to be made free of cost. However, it will be open for the Municipal Corporation to impose appropriate terms and conditions.

The Mumbai Municipal Corporation challenged the impugned order of the High Court by way of filing Special Leave Petitions before us.

Mr. Shekhar Naphade, learned Senior counsel appearing for the petitioners submitted that out of eleven respondents, who filed Writ Petitions before the High Court, four persons namely (i) Shri Bhimsen P. Singh, (ii) Mr. Anil Surajman Shukla, (iii) Mr. Muniram Shivpujan Gupta and (iv) Mr. Kantilal Girdhar Gandhi are eligible for allotment of alternative premises at a

suitable place, as per the policy of the Mumbai Municipal Corporation, if they comply the conditions imposed by the said Corporation.

Therefore, Special Leave Petition No.17082/2018, Special Leave Petition No.18331/2018, Special Leave Petition No.18403/2018 and Special Leave Petition No.18384/2018 are disposed of recording the statement made by the learned Senior counsel for the petitioners.

So far as remaining seven respondents are concerned, four of them are not eligible as per the guidelines of the Mumbai Municipal Corporation and rest of the three are ineligible as per the Slum Rehabilitation Act.

However, learned Senior counsel submits that in case those seven respondents produce relevant material, the Municipal Corporation, after examining the material and if it is satisfied, they are willing to extend the benefit as per the regulations and rules.

In view of the stand taken by the learned Senior counsel for the Corporation, we direct the parties to appear before the Secretary, Legal Services Authority of the Bombay High Court and the said Authority will examine the relevant records produced by the petitioners as well as the respondents and submit a report before this Court about their eligibility in accordance with the guidelines of the State Government as well as the Municipal Corporation/Slum Development Authority.

We direct the parties to approach the Secretary, Legal Services Authority of the Bombay High Court within a week's time from the date of receipt of the order to enable the said Authority to decide and submit a report expeditiously preferably within a period of eight weeks from the date of communication of this order. List the other Special Leave Petitions after Report is received from the Legal Services Authority of the Bombay High Court."

12. Pursuant to the said order, the Secretary of the High Court Legal Services Committee, Bombay filed a report dated 07.02.2019. The important findings recorded in the Report of the High Court Legal Services Committee are (1) that the assessment certificate issued by the Corporation shows the

existence of superstructures from a period prior to 1961 (2) that some of the respondents in the special leave petitions were issued with notices under Section 3Z(2) (i) of the Slum Act and that they are eligible for permanent alternative accommodation, as they have produced electricity bill Gumasta Licence etc. from a period prior to 1995 while the cut-off date was only 01.01.2000 and (3) that the other respondents are also eligible for permanent alternative accommodation, as their superstructures were duly assessed in the year 1961 and indisputably, those structures were demolished on 26.10.2017.

13. The Municipal Corporation has filed an affidavit of objections to the Report of the High Court Legal Services Committee. It is claimed in the said affidavit that the respondents did not produce any proof of existence of superstructures prior to the Datum Line of 1962; that the shop owners failed to submit any valid, legal proof; that the land under reference was not declared as a slum under the Slum Act; that the owner of the land Smt. Geeta Angare had not submitted the names of the eligible tenants; that out of 11 structures, the occupants of 4 structures were already found eligible for alternate accommodation; that out of the remaining 7 structures, 3 have been 15 assessed to tax and that, therefore, in addition to the 4 structures declared eligible earlier, 3 more may become eligible for alternative accommodation.

14. Drawing our attention to the various documents and also to the Report of the High Court Legal Services Committee, it was strenuously contended by Mr. Shekhar Naphade that the grant of alternate accommodation cannot be claimed by the respondents as a matter of right, unless they fulfill the parameters fixed by the Municipal Corporation and that the ad-hoc identification of parties for the grant of alternate accommodation without any supporting documents would create huge disparities. The learned Senior Counsel has also assailed the findings of the High Court Legal Services Committee on the ground that those findings were not supported by any documentary evidence.

15. We have carefully considered the contentions of the learned

senior counsel for the Municipal Corporation. We should point out at the outset that the legal heirs of the original owner of the land were the petitioners in one writ petition and eleven persons claiming to be the tenants, were the petitioners in the other writ petitions. Insofar as persons claiming to be the owners of the land are concerned, the Municipal Corporation itself had conceded before the High Court that they were willing to offer TDR. In paragraph 15 of the affidavit in reply filed by the Municipal Corporation in Writ Petition No. 3090 of 2017, it was stated by the Municipal Corporation as follows:

“I say that the respondents Nos.2 to 4 are willing to grant the necessary benefit such as TDR to the rightful owner of the plot of land which is affected by road widening scheme. I say that the petitioner No.1 had contacted the officers at R/North Ward as regarding the issuance of TDR. The petitioner No.1 had attended the meeting in Asst. Municipal Commissioner, R/North office on 11th November, 2017, when she was informed that she has to contact the office of Chief Engineer (DP) along with relevant papers. I say that the petitioner had agreed and given assurance to the respondent that she will contact the said office for granting her TDR in lieu of land being acquired for the purpose of road widening. I understand that petitioner No.1 has not contacted the office of Chief Engineer (OP) for the reasons best known to her.”

16. After having stated so in their affidavit in reply, the Municipal Corporation ought not to have come up with a special leave petition even in respect of Writ Petition No.3090 of 2017. In fact one of the two substantial questions of law sought to be raised, which we have extracted earlier, also concedes the position taken the Corporation that the respondents 1 to 3 in Special Leave Petition No.18376 of 2018 are entitled to relief. Therefore, we do not know how and why the Corporation is blowing hot and cold.

17. Insofar as those eleven tenants are concerned, the Corporation agree both before the High Court and before this Court that four of them are entitled to alternate accommodation. Therefore, the special leave petitions filed in respect of those four have also been disposed of by the order

dated 05.12.2018.

18. Therefore, we are left only with seven tenants. In the affidavit of objections filed to the Report of the High Court Legal Services Committee, the Corporation has conceded that three out of those seven tenants are also eligible. Therefore, ultimately the dispute has boiled down only to four tenants.

*19. The High Court has recorded a finding of fact that the Municipal Corporation demolished the superstructures and took possession in a high handed manner. The Legal Services Committee has recorded a finding that the superstructures were in existence from a period prior to 1961. These findings of fact cannot be interfered with by this Court in a special leave petition under Article 136 of the Constitution of India, unless the findings shock our conscience. The findings of the High court are not perverse. Therefore, we find absolutely no grounds to interfere with the judgment of the High Court. Hence, the special leave petitions are dismissed. No costs.
(emphasis supplied)”*

16. The Hon’ble Supreme Court has thus not interfered with the findings of fact of this Court that the Municipal Corporation demolished the superstructures of the Petitioners and took possession in a high handed manner. The Hon’ble Supreme Court noted the findings of the Legal Services Committee that superstructures were in existence from a period prior to 1961. The Hon’ble Supreme Court held that such findings of fact cannot be interfered as the same were not perverse and there were absolutely no grounds to interfere with the judgment of this Court. We are therefore of the view that it is high time that the Respondent – Corporation comply with the orders of this

Court in a fair and just manner. It is required to be noted that the Division Bench of this Court had directed the Respondent-Corporation to allot to Petitioners, tenements having size equal to that of their demolished premises which would be in the vicinity and having frontage of main road. The Respondent-Corporation has not been able to comply with the said order in letter and spirit. Allotment was to be made by 30th June, 2018 as directed by the Division Bench of this Court. It needs to be recognised that despite the orders of the Hon'ble Supreme Court, Petitioners, have been running from pillar to post just to have the order of the Hon'ble Supreme Court implemented by the Corporation. This is a sorry state of affairs that public bodies dilly-dally in implementing the orders of superior Courts on one pretext or another. If this is allowed to continue, it will completely erode the faith that the common man has in the justice dispensation system of our country. This is, therefore, a fit case to award equitable compensation for the hardship faced by Petitioners by waiting since 30th June, 2018, which would be in addition to the compensation in lieu of the alternate premises having size equal to the demolished premises in the vicinity and frontage. We are of the view that this equitable compensation be 25% of the compensation worked out by the Respondent-Corporation. The compensation worked out as per MCGM is reflected in column 5 of

the table below and the total amount alongwith the additional compensation of 25% is mentioned in column 6. We therefore direct the Respondent-Corporation to pay the amounts of monetary compensation mentioned in column 6 of the following table to Petitioners within 4 weeks from the date this order is uploaded, the post which the Respondent-Corporation shall pay interest on the said amount @ 8% per annum in addition.

MONETARY COMPENSATION CHART

Sr. No.	Petitioners	Area (Sq.Ft.)	Eligibility	Compensation as per MCGM	Compensation on addition of 25%
(1)	(2)	(3)	(4)	(5)	(6)
1	Anil Surajman Shukla	54	1.1.1962	6,48,562/-	8,10,702/-
2	Bhimsen P. Singh	365	1.1.1962	43,83,798/-	54,79,748/-
3	Kantilal Gandhi	56	1.1.1962	6,72,583/-	8,40,729/-
4	Muniram S. Gupta	183	1.1.1962	21,97,904/-	27,47,380/-
5	Babupuri Goswami	110	1.1.1962	13,21,145/-	16,51,431/-
6	Dattatray Phadtare	300	1.1.1962	36,03,122/-	45,03,903/-
7	Leena Bhatia	80	1.1.1962	9,60,832/-	12,01,040/-
8	Ramesh Panhalkar	80	1.1.1962	9,60,832/-	12,01,040/-
9	Sampatlal S. Jain	20	1.1.1995	1,80,156/-	2,25,195/-
10	Grace Poovathingal	20	1.1.1995	1,80,156/-	2,25,195/-
11	Panna Dave	20	1.1.1995	1,80,156/-	2,25,195/-

17. Writ Petition is allowed in above terms.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)