

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

WRIT PETITION NO.1395 OF 2019

Sajabai Sandipan Bhosale

... Petitioner

Vs.

Municipal Corporation of Gr. Mumbai & Ors.

... Respondents

Mr. Nikhil Patil a/w Mr. Prabhakar M. Jadhav for the Petitioner.

Mr. Yashodeep Deshmukh a/w Ms. Madhuri More for the Respondent-Corporation.

Mr. Amit Shastri, AGP for Respondent No.3-State.

Mr. T. J. Pandian for Respondent No.4.

Mr. Prashant Gawali, S.E. (Maint), L Ward, BMC is present.

Mr. Shankar Sandipan Bhosale son of the Petitioner is present.

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

DATE : 11TH MARCH 2022

P.C. :

1. The present Petition is filed by the Petitioner seeking the following reliefs :-

“a. That this Hon’ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction directing the Respondent No.1 to allot alternate accommodation to the Petitioner.

b. That this Hon’ble Court be pleased to direct the Respondent No.1 to pay to the Petitioner compensation of Rs.1,00,000/- for the hardship caused to her due to the inaction of the

Respondent No.1 and towards reimbursement of rent paid by her.

- c. That this Hon'ble Court be pleased to direct the Respondent No.1 to pay to the Petitioner costs of 30,000/- towards the litigation costs incurred by the Petitioner in approaching this Hon'ble Court.*
- d. For such further and other reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

2. Though the Petitioner's name was not included in the Annexure-II as the hut of the Petitioner was demolished by the Railway Authorities prior to the preparation of Annexure-II, the Petitioner would be eligible for an alternate accommodation as this has been accepted and confirmed in letter dated 15th April 2014 of the Assistant Engineer (M), L Ward of the Respondent-Corporation (Exhibit-'E', Page 23 of the Petition).

3. Learned Counsel for the Petitioner states, on instructions of son of the Petitioner viz. Mr. Shankar Sandipan Bhosale, who is present in the Court, that the Petitioner is ready to accept alternate accommodation at Anik Gaon, Govandi.

4. Learned Counsel for Respondent-Corporation on instructions of Mr. Prashant Gawali, S.E. (Maint), L Ward, BMC, who is present in the Court, states that the alternate accommodations are available at Anik Gaon, Govandi.

5. In the circumstances, we accede to the request of learned Counsel for the Petitioner and direct the Respondent-Corporation to allot alternate accommodation to the Petitioner at Anik Gaon, Govandi and handover possession of the same within a period of two months from today.

6. The Writ Petition is disposed of in the above terms.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)

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