IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

131 **WRIT PETITION NO.927 OF 2023**

SALEEM KHAN GULAM AHMED KHAN
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Magar Pankajkumar S.
AGP for Respondents/State : Mr. S.B. Yawalkar
Advocate for R/4, 6 & 7 : Mr. S.S. Tope
...

CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 12th July, 2023

P.C. :-

1. The Petitioner has prayed for space ad-measuring 200 sq.ft on the Ghati road in terms of GR dated 07.01.2008 and 10.05.2018, for setting up a tin shade/shop. The Petitioner claims to be 90% physically challenged.

2. The learned advocate representing the Corporation submits on instructions that the Corporation has done away with the earlier policy of permitting people to erect tin shades or tapris. This has become a big issue and the Corporation presently does not permit any person to put up a tin shade or a tapri. The Petitioners application dated 31.10.2022 which is preceded by applications filed earlier, would be considered along with the pending

applications of similarly situated physically challenged persons, for allotment of a shop on lease basis at the current rates in the Nath Supermarket or Bholenath Supermarket or Piya Market, by following the due procedure.

3. In view of the above, **this petition is disposed off**. Let the Municipal Corporation deal with the earliest application of the Petitioner, which is said to be dated 07.04.2001, as expeditiously as possible and preferably within a period of 90 days. Needless to state, the grievance of the Petitioner shall be considered along with all similarly situated applicants considering the dates of their applications and in accordance with the rules / policies etc. as may be applicable.

[Y.G. KHOBRAGADE, J.] [RAVINDRA V. GHUGE, J.]

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