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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4078 OF 2022

Reena Jayant Rajak
(Nee Reena Ranu Biswas)

....Petitioner

V/s.

The Chief Executive Officer,
Slum Rehabilitation Authority
and Ors.

...Respondents

Mr. P.V. Dhopatkar i/b Santosh Vhatkar & Associates for Petitioner.
Mr. Jagdish G. Aradwad (Reddy) for Respondent Nos. 1 and 2.
Mr. Ashokkumar Upadhyay for Respondent Nos. 4 and 5.
Mr. A. I. Patel, Addl. G.P a/w Ms. K.N. Solunke, AGP for State/Respondent No.6.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL, JJ.
DATED : 21st APRIL 2023**

P.C. :

1. Petitioner is basically seeking direction to Respondent No.2 though prayer clause says Respondent Nos.1, 2 and 3 to dispose petitioner's representations dated 2nd November 2021 and 12th July 2021. Mr. Aradwad (Reddy) states that by 30th May 2023 these representations will be disposed in accordance with law. There is allegation in the petition that Respondent No.4 is in forcible possession of Flat No.902, 9th Floor, Shri Swayambhu S.R.A. Co.op. Housing Society Limited at C.T.S. No.226, 226/1 to 97 situated at Mouje Kanheri, Chinchpada, Borivali (East), Mumbai – 400 066. Counsel for Respondent No.4 denies that Respondent No.4 is in possession and says one Mr.Aditya is in possession. Said Mr. Aditya is not a party to the petition.

Respondent No.2 shall give notice to Respondent No.4, 5 and actual occupant said Mr. Aditya Sanjay Biswas and enquire whether the person occupying is legally entitled to occupy the premises. If not Respondent No.2 shall take forcible possession of the premises and keep it in its custody to be handed over to the person legally entitled to as legal heir of late Ranu Shailesh Biswas. Of course, Respondent No.2 will also enquire whether late Ranu Shailesh Biswas himself was entitled to the said flat.

2. We clarify that we have not made any observations on the merits of the matter.

3. Petition disposed.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)