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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.12805 OF 2023
IN
WRIT PETITION NO.5618 OF 2014

Surendra D. Kadu & Ors.	...Petitioners
V/s.	
The Principal Secretary, Urban Development Department & Ors.	...Respondents

Mr.S.K. Mishra, Senior Advocate with Mr.Saket Mane, Mr.Abhishek Salian and Mr.Ayush Sharma i/b Mr.Sanjay S. Gawde for the Petitioner.

Mr.R.M. Shinde, AGP for Respondent Nos.1, 2, 7 and 8 – State.

Mr.R.S. Khadpkar for Respondent Nos.3 to 5 – Corporation.

CORAM : SUNIL B. SHUKRE &
RAJESH .S. PATIL, JJ.
DATE : 22ND JUNE, 2023.

P.C. :-

1. Heard learned senior counsel for the Petitioners and learned counsel for the Corporation. It is submitted on behalf of the Petitioners that a wrong statement was made on behalf of the Petitioners on 24th January, 2023 that they have not been granted full TDR as per their entitlement and reality is that none of the Petitioners has been granted any TDR so far. Learned counsel for Corporation does not dispute the fact of non grant of any TDR to any of the

Petitioners. If that is the case then, we have to consider entitlement of the Petitioners and from that view point, we are of the view that this Petition is now ripe for final hearing. Accordingly, the Interim Application is allowed.

2. There is a note of Registry that the original file of the Petition is under search. We direct that if the original file could not be traced out in next three days, the Writ Petition shall be reconstructed in two sets with the assistance of learned counsel of both the sides. We request learned counsel for the parties to render their assistance to the Registry in reconstruction of the file so that on the next date this matter can be conveniently taken up for final hearing.

3. Let the Petition be placed High on Board on 7th July, 2023 for final hearing.

(RAJESH S. PATIL, J.)

(SUNIL B. SHUKRE, J.)