

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11200 OF 2022**

Anita Ghyanshyamdas Bathija ...Petitioner
Versus
The State of Maharashtra through Principal ...Respondents
Secretary, Relief and Rehabilitation Department
& Ors

Ms Minal Chandnani, i/b JS Chandnani, for the Petitioner.
Mrs AA Purav, AGP, for Respondent Nos. 1 to 4 & 7 -State.
Mr Suresh Kamble, for Respondent Nos. 5 & 6.

**CORAM G.S. Patel &
 Dr Neela Gokhale, JJ.**
DATED: 2nd February 2023

PC:-

ASHWINI
HULGOJI
GAJAKOSH

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1. On the statement made by Ms Chandnani on instructions that the Petitioner will hand over the area/sites affected by reservations free of cost to the Ulhasnagar Municipal Corporation, we direct the Respondent No. 4, the Sub-Divisional Officer to issue the conveyance in terms of the prevailing DC Rules in regard to the property in question being plot No. 444 opposite Barrack No. 1070 described in paragraph 4.4 of the Petition, to the Petitioner.

2. This is to be done by 28th February 2023 with all concerned acting upon an authenticated copy of this order. A copy of the undertaking that we have noted above is a part of the application at Exhibit “E”.
3. A copy of this order is to be forwarded to the 5th and 6th Respondents for their records and for taking possession against a possession receipt, panchnama etc of the plots under reservation.
4. We clarify that if permissible in law, the reserved sites may be allowed to be developed after possession is handed over for the purposes of using that development by the public authorities/planning authorities.
5. The Petition is disposed of in these terms.

(Dr Neela Gokhale, J)

(G. S. Patel, J)