

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14874 OF 2022

Hari Bama Bhagat & Ors.

.. Petitioners

Versus

The Collector & Ors.

.. Respondents

Mr. Suresh Kamble i/b. Bhavesh Magam *for the Petitioners.*

Mrs. M. S. Bane, AGP *for the Respondent-State.*

Adv. S. V. Gavand *for Respondent No.2.*

**CORAM : B. P. COLABAWALLA &
M. M. SATHAYE, JJ.**

DATE : AUGUST 30, 2023

P. C.

1. The above Writ Petition is filed seeking a direction to Respondent No.1 to decide the Application dated 14th June, 2022 filed by the Petitioners.

2. The learned Advocate appearing for Respondent No.2-the Panvel Municipal Corporation, submitted that the subject property has been sold by the rest of the Petitioners to Petitioner No.12 and which is why Petitioner No.12 was added in the above Writ Petition [by virtue of

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an amendment]. He submitted that however the Application dated 14th June, 2022 is not filed by Petitioner No.12 but by the other Petitioners. He submitted that it should not be that the other Petitioners who have sold the property to Petitioner No.12 claim some compensation/benefit from Respondent No.1 in the Application dated 14th June, 2022 and thereafter Petitioner No.12 approaches Respondent No.1 for further compensation. He, therefore, submitted that if this Court is inclined to direct Respondent No.1 to decide the Application dated 14th June, 2022, it should be made clear that the same would be decided only once Petitioner No. 12 also joins in the said Application.

3. The learned Advocate appearing for the Petitioners has fairly stated that the Petitioners [including Petitioner No.12] have no objection to this course of action being adopted.

4. Considering the stand taken by the parties, we direct Petitioner No.12 to join in the Application dated 14th June, 2022 filed by the other Petitioners before Respondent No.1. Once this is done, Respondent No.1 shall decide the Application dated 14th June, 2022 as expeditiously as possible, and in any event, within a period of four months from today.

5. It is needless to clarify that the Application dated 14th June, 2022 filed before Respondent No.1 shall be decided on its own merits and in accordance with law. We have not opined on the merits of the matter one way or the other.

6. In the event this order is not complied with, the Petitioners are at liberty to file an interim application seeking enforcement of this order.

7. The above Writ Petition is disposed of in the aforesaid terms. No order as to costs.

8. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M. M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]