

Anand

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

WRIT PETITION NO. 13858 OF 2023

Nandkumar Swaminath Pal

.Petitioner

Vs.

Ganesh Ramesh Chitte & ors.

.Respondents

Mr. Abhishek Karnik a/w. Ms. Dhanashree Gaikawaiwari i/b.
M/s. Bilawala & Co., Advocate, for the Petitioner

Mr. D. K. Singh a/w. Ms. Durga Rajput, Advocate, for Respondent
No. 1

Mr. Jagdish G. Aradwad (Reddy), Advocate, for Respondent Nos.
2 & 3 -

Ms. V. S. Nimbalkar, AGP, for Respondent No. 4 - GRC

CORAM : MADHAV J. JAMDAR, J.

DATE : 28.11.2023

P. C.

1. Heard Mr. Karnik, learned counsel appearing for the
Petitioner, Mr. Singh, learned counsel appearing for Respondent
No. 1, Mr. Aradwad (Reddy), learned counsel appearing for
Respondent Nos. 2 & 3 and Ms. Nimbalkar, learned AGP
appearing for Respondent No. 4.

2. The only apprehension expressed by the learned
counsel appearing for the Petitioner is that during the pendency
of the Appeal No. 82 of 2023 filed by the Petitioner pending
before the Grievance Redressal Committee, the Petitioner will be

evicted and the hut in question will be demolished. In the said Appeal, challenge is to the order dated 17.07.2023 passed by the Additional Collector, Appellate Tribunal, Mumbai City, by which the eligibility of the Petitioner was cancelled and direction was issued to take action to evict him from the premises in question. Learned counsel appearing for the Petitioner submits that the said Appeal is pending since August, 2023 and neither the Appeal nor the Stay Application is taken up for hearing and in the meanwhile, order of eviction is passed against the Petitioner.

3. In view of above factual position, Respondent No. 4 – GRC is directed to dispose of the Appeal No. 82 of 2023 on or before 29.02.2024. Till disposal of the said Appeal, no coercive steps be taken against the Petitioner.

4. It is clarified that this Court has not considered the merits and all the contentions on merits are expressly kept open.

5. The Writ Petition is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)