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

WRIT PETITION NO.14927 OF 2023

Ashadullah Khan s/o Anis Ahmed ...Petitioner
Khan

V/s.

Deputy Collector (Enc./Rem) ...Respondents
(Special Desk) and Ors.

Mr. Rajesh Kanojia i/by Mr. Bushra Sayed for
Petitioner.

Mr. A.B. Chate, Additional G.P. a/w Mrs. M.S.
Srivastava, AGP for Respondent No.5-State.

Mr. Vijay Patil for Respondent Nos.1 to 4 - SRA.

Ms. Aparna D. Vhatkar, for Respondent No. 8 -
AGRC.

CORAM: MADHAV J. JAMDAR, J.

DATE: 5th December 2023

P.C.:

1. Heard Mr. Kanojia, learned Counsel appearing for the
Petitioner, Mr. Patil, learned Counsel appearing for Respondent
Nos.1 to 4- SRA, Mr. Chate, learned Additional G.P. alongwith
Mrs. Srivastava, learned AGP and Ms. Vhatkar, learned
Counsel appearing for Respondent No.8- AGRC.

2. The challenge in the present Writ Petition is to the legality and validity of the order dated 6th October 2023 passed by the Respondent No.1, the Deputy Collector (Enc./Rem.), Special Desk, S.R.A., Bandra, Mumbai.

3. It is the contention of the learned Counsel appearing for the Petitioner that the Petitioner has filed the statutory appeal under Section 35 [1A] of the Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971, challenging the said order dated 6th October 2023, however, the said Appeal is not being taken up for hearing and even the stay application has not been considered.

4. Ms. Vhatkar, learned Counsel appearing for Respondent No. 8- AGRC states that the said Appeal/application will be disposed of expeditiously.

5. Accordingly, the Writ Petition is disposed of by directing Respondent No.8 to dispose of the Appeal filed by the Petitioner expeditiously in any case on or before 31st January 2024. Till then No coercive steps be taken against the Petitioner.

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

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

(MADHAV J. JAMDAR, J.)