

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15565 OF 2023

Vaibhav Ramesh Mane
Thr. Constitute Attorney
Shilpa Vaibhav Mane, Age-45,
Occupation – Housewife,
Residing at 1st Floor, Indumati Niwas,
8th Borbhat Lane, Girgaon,
Mumbai – 400 004.

..... Petitioner

Vs.

1. The State of Maharashtra
Through the Additional Chief Secretary,
General Administration Department,
Mantralaya, Mumbai
2. The office of the Controller of
Accommodation, General Administration
Department having office at 19th Floor,
New Administration Building, Madam Cama
Road, Hutatma Rajguru Chowk,
Opp. Mantralaya, Mumbai – 32.
3. Mr. Anand S. Jamsandekar
Age-Adult, Occ – Now Known
Residing at 91/F, 1st Floor, Room No.17,
Raut Estate, Koliwada, Fanaswadi,
Sitaram Poddar Marg, Opp. Balaji
Mandir, Mumbai – 400 002.
4. Mr. Ruchit S. Jamsandekar
Age-Adult, Occ – Now Known
Residing at 91/F, 1st Floor, Room No.17,
Raut Estate, Koliwada, Fanaswadi,
Sitaram Poddar Marg, Opp. Balaji
Mandir, Mumbai – 400 002.
5. Mr. Rohit S. Jamsandekar
Age-Adult, Occ – Now Known

Residing at 91/F, 1st Floor, Room No.17,
Raut Estate, Koliwada, Fanaswadi,
Sitaram Poddar Marg, Opp. Balaji
Mandir, Mumbai – 400 002.

..... Respondents

Mr.Sanjay C. Prabhu for the Petitioner

Mr.V.S.Kapse a/w Mr.Upendra A. Mahadik i/b M/s.Fast Track Legal for the
Respondent nos.2 to 4

Mr.N.C.Walimbe, Addl. G.P. a/w Ms.A.A.Purav, A.G.P. for the Respondent
– State

**CORAM: A.S.CHANDURKAR &
FIRDOSH P. POONTWALLA, JJ.**
DATED : 13th DECEMBER 2023

ORAL JUDGMENT (PER : A.S.CHANDURKAR, J) :

1. Rule. Rule made returnable forthwith.
2. The learned A.G.P. waives notice for Respondent nos.1 and 2 and the learned counsel waives notice for Respondent nos.3 to 5.
3. The only relief sought by the Petitioner is for expeditious consideration of the Appeal preferred by the Petitioner under section 8D(1) of the Bombay Land Requisition Act, 1948, that is pending before the 2nd Respondent. In that Appeal, the notice issued by the Controller on 20th July 2021 is under challenge.
4. In these facts, since the appeal preferred by the Petitioner has been pending for almost three years, the Writ Petition is disposed of by directing the 2nd Respondent to decide the aforesaid Appeal on its own merits and in accordance with law within a period of 8 weeks from today.

5. It is made clear that all contentions of either parties are kept open for being raised before the said authority.
6. The Petitioner's Application for grant of interim relief shall be considered within a period of 10 days from today on its own merits.
7. Rule is disposed of in aforesaid terms. No order as to costs.

(FIRDOSH P. POONIWALLA, J.)

(A.S.CHANDURKAR, J.)