

VRJ

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

WRIT PETITION NO.10405 OF 2018

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Madhav Sambhaji Satpute

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Sudhakar G. Thorat for the petitioner.

Mr. P. G. Sawant, AGP for the State/respondent Nos.1
to 4.

Mr. Vikas Kolekar for respondent Nos.7 & 8.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 29, 2024

PC.:

1. The petitioner is challenging order passed by the Grievance Redressal Committee in Appeal No.321 of 2017 dismissing petitioner's appeal refusing his claim to be a person whose name need to be added in Annexure-II.

2. The Slum Rehabilitation Scheme was implemented on CTS No.652B and 652B/1 to 31 of Village-Kurla, Taluka-Kurla, Mumbai. One Mrs. Mangala Suresh Waghmare was found to be occupying the hutment and her name was recorded in Annexure-II.

3. The petitioner claims to be a person in whose favour the sisters of Mangala Suresh Waghmare transferred the hutment initially by way of agreement to sell and thereafter by sale deed

dated 10th May 2012.

4. The committee relying on government resolution dated 16th May 2015 held that such transfer after issuance of Annexure-II certificate is not permissible as the relevant cut-off date is 1st January 2000. The committee recorded a finding that the petitioner was not occupying the said structure and was holding photopass in her name who died on 28th August, 2004 leaving behind her seven married daughters. Mangala Suresh Waghmare is one of her daughters.

5. Since the petitioner is claiming to be in possession based on agreement of 2011 and sale deed of 2012, the committee based on government resolution dated 16th May 2015 concluded that the person in possession as on 1st January 2000 is entitled for his name being included in Annexure-II. Hence, in my opinion, there is no legal infirmity in the order.

6. The writ petition is, therefore, dismissed. No costs.

(AMIT BORKAR, J.)