

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10303 OF 2024

Smt Jashodaben D/o Navin Patel

W/o Kantibhai Patel

...Petitioner

Versus

Resident District Collector And Anr.

...Respondents

Mr. Hardik Joshi, for the Petitioner.

Mr. Budhbhushan Rajaratna i/b. Hiten Venegavkar, Advocate for Respondent No.1.

Ms. M.S. Bane, AGP, for the Respondent - State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 14 NOVEMBER 2024

P.C.:

1. We have heard Mr. Hardik Joshi, learned counsel for the Petitioner and Mr. Hiten Venegaonkar with Mr. Budhbhushan Rajaratna, learned counsel for the Respondent No.1.

2. In pursuance of our detailed order dated 18 October 2024, the Mr. Amit Kumar, Resident Deputy Collector, Silvassa has passed an order.

3. A copy of the order is taken on record and marked 'X' for identification. The operative part of the order dated 18 October 2024 is

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reproduced as under :-

- “1. That as per the Fresh report Submitted by P.W.D., the area of demolition is 102 Sq. Mtrs for Survey no.10/P3 and Smt. Jashodaben is entitled for Rs.13,17,840/- from the reverted amount of Rs.17,06,787/-.
2. Further, the area of demolition is 28.66 Sq. Mtrs from Survey no.10/P4 and the said structure is in the name of Shri. Dharmendra V. Sinh. Therefore, the Dharmendra V. Sinh is entitled for Rs.3,88,947.2/- from the reverted amount of Rs.17,06,787/-.”

4. In view of the aforesaid order passed by the Resident Deputy Collector, Silvassa, the learned counsel for the Petitioner submitted that the Petitioner has become entitled to receive Rs.13,17,840/- which is required to be now deposited in the Petitioner's account. The same be deposited within one week from today. So far as the balance amount of Rs.3,88,947.2/- is concerned, we keep open all contentions of the Petitioner to assert her claim, if any in regard to the said amount in appropriate proceedings. With the aforesaid observations, the Petition would not require further adjudication.

5. Disposed of in terms of the aforesaid observations.

6. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]