

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 12382 OF 2024

Prabhavati Pramod Borade Lhr. And Petitioner
Lrs. Of Pramod Genu Borade (Since
Decd.)

Versus

Additional Collector (ENC/REM) and Respondents
Appellate Authority, Eastern Suburbs
and Ors.

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Adv. Karansinh V. Thorat a/w Adv. Aniesh S. Jadhav and Adv.
Pradeep M. Gaikwad, Advocate for the Petitioner/s.
Adv. Snehal Jadhav, AGP, for Respondent Nos.1, 2 & 5 – State.
Adv. Rushikesh S. Kekane, Advocate for Respondent No.3.

CORAM : R. M. JOSHI, J.

DATE : 6th SEPTEMBER, 2024.

P.C. :

1. Heard.
2. Learned counsel for the Petitioner submits that the petitioner is the widow of visible occupant of slum.
3. It is his submissions that the order dated 7th December, 2017 eligibility of the occupant was accepted and his name was

included and supplementary annexure-II on 12th June, 2018. It is his submissions that in the year 2021 order dated 7th December, 2017 came to be challenged that the society by filing appeal and though the Authorities have a right of reverification of the record and to determine the status of the occupant afresh, in this case in spite of is order passed to that effect dated 3rd November, 2022, no verification has been done till date. He further drew attention of the Court to the impugned order passed by the Grievance Redressal Committee wherein the society in fact has recorded no objection to declare structure in question has eligible as per order dated 7th December, 2017. The committee however in ignorance of the afore-stated facts has passed impugned order. Petitioner has made out arguable case.

4. Issue notice to Respondent No.4, returnable on 7th October, 2024.

5. Till next date of hearing, there would be stay to the impugned order.

(R. M. JOSHI, J.)