

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 13125 OF 2024

Naomi Miranda

.... Petitioner

Versus

The State of Maharashtra & Ors.

.... Respondents

Mr. Mutahhar Khan, i/b. Chowdhari Moin, for the Petitioner.

Mr. Y. D. Patil, AGP, for Respondent Nos.1 & 4 to 6, for the Respondents.

CORAM : R. M. JOSHI, J.

DATE : 25th SEPTEMBER, 2024.

P.C. :

1. Learned counsel for the Petitioner submits that the Chief Secretary while passing impugned order dated 24th July 2024 has failed to taken into consideration objection raised by the Petitioner with regard to there being no Sale Deed executed in respect of CTS No. 6437/10, 10(1-7) & 11. It is his submission that although specific issue was raised with regard before the said authority, the same has not been dealt with. In order to support his submission, he has drawn attention to the Court to the Sale Deed dated 9th October 1985 wherein Schedule (1) the property mentioned is 450 Sq.

Mtrs or thereabout area forming part of Survey No. 137, Hissa No.1 City Survey No. 6437.

2. Having regard to these facts, this Court *prima-facie* finds arguable case being made out by the Petitioner.

3. Hence, issue notice to the Respondent, returnable on 24th October 2024.

4. Till next date of hearing, there shall be stayed to the impugned order.

(R. M. JOSHI, J.)