

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 340 OF 2024

Parvatibai Shankar Kamble

...Petitioner

Versus

The Controller of Accommodations & Ors

...Respondents

None for the Petitioner.

Mr. Manish Upadhye, AGP, for State-Respondent Nos.1 & 2.

CORAM : G. S. KULKARNI &
SOMASEKHAR SUNDARESAN, JJ.

DATE : AUGUST 08, 2024

PC :

1. On the last occasion we had been informed that the data in relation to abuse and misuse of government property in terms of illegal occupation of tenements had been compiled and that the Principal Secretary, Government of Maharashtra was in the process of filing an affidavit.

2. Today, an affidavit has been filed by Ms. Manisha Pathankar-Mhaiskar, Additional Chief Secretary, General Administration Department. The affidavit identifies ten officers who held the posts of

Controller of Accommodation and Area Inspector between 2008 and 2014. A show cause notice is being issued to them in the matter.

3. The affidavit further states that there were 2,444 premises allotted by the Controller of Accommodation. Nearly 1,600 files have been reviewed by Respondent No.1 and de-requisition orders have been passed in the case of 850 premises. The remaining record is being examined and the statements of persons occupying the premises would be recorded. The entire process, it is submitted, would take about six months. The affidavit encloses a list of premises that have been de-requisitioned so far.

4. The affidavit also states that Respondent No.1 has written to Maharashtra Housing and Area Development Authority (“**MHADA**”) for computation of rent at the prevailing market rate and has received a computation from MHADA. It has been submitted that Respondent No.3 is liable to pay market rent in the sum of around Rs.25,56,000/- and appropriate recovery proceedings would be undertaken. Likewise, a complaint has been filed with the Marine Drive Police Station against Respondent No.3 for alleged offences under Section 465, 468, 471, 419 and 420 of the Indian Penal Code.

5. In this view of the matter, we believe it would be appropriate to stand over the matter to a date after four weeks for an update on the action taken until then, and to consider appropriate orders at that stage.

[SOMASEKHAR SUNDARESAN, J.]

[G. S. KULKARNI, J.]