

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 4462 OF 2024**

Hashmat Ali Riyasat Ali Shaikh

... Petitioner

V/s.

Slum Rehabilitation Authority & Ors.

... Respondents

Dr. Abhinav Chandrachud i/b Adv. Ashwin Tripathi for Petitioner.
Adv. Disha Parekh a/w Adv. Neha Bhosale & Adv. Shivangi Batawadekar for Respondent No.1.
Mr. Atul Damale, Senior Advocate a/w Adv. S.V. Tondwalkar for Respondent- No.2-BMC.
Shri. Priyank Tiwari, Rent Collector (Colony Office E Ward) present.
Adv. Karl Tamboly (through VC) a/w Adv. Jintendra Kshirsagar i/b K & K Legal for Respondent No.3.
Adv. Samkit Shah i/b Mulla & Mulla and Craigie Blunt & Caroe for Respondent No.4.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**
DATE : 13th February 2025.

P.C. :

1) As usual the Officers of BMC have not complied with the directions issued by this Court and also the solemn statement made by them before the Court, as recorded in Order 13th December 2024. As a result thereof, the reply of Respondent No. 2 is not on record. The legal inference therefore has to be drawn that, the Respondent No.2 has no say and is in fact admitting all the contents of the Petition, including the allegations made

therein against the concerned Officer.

1.1) Though four weeks time was granted by Order dated 13th December 2024, the Respondent No.2 did not file reply till date. The period to file reply has come to an end on 10th January 2025. No Application for extension of time is also filed on record.

1.2) In view thereof, we would like to know from the Additional Commissioner, as to whether the Respondent No.2 is really so busy, in not sparing little time in briefing his Advocate in preparation of reply.

1.3) In view thereof, we are left with no other alternative than to direct the Additional Commissioner (Legal/Litigation) to file a detailed reply to the Petition, if the Corporation desires to oppose the Petition and the wisdom prevails upon it. The said reply be filed within a period of three weeks from today.

2) Stand over to 13th March 2025.

3) Ad-interim relief, if any granted earlier, to continue till next date.

4) The Learned Advocate for Respondent-BMC, to communicate this Order to the Additional Commissioner to avoid further delay.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)