

ITEM NO.12

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).12771/2019

(Arising out of impugned final judgment and order dated 02 & 03-04-2019 in WPL No. 1158/2017 passed by the High Court Of Judicature At Bombay)

THE COMMISSIONER MUNICIPAL CORPORATION OF
GREATER MUMBAI & ANR.

Petitioner(s)

VERSUS

VISHWANATH PANDURANG DEDE & ORS.

Respondent(s)

IA No. 86829/2019 - GRANT OF INTERIM RELIEF
IA No. 86823/2019 - INTERVENTION/IMPLEADMENT)

WITH

SLP(C) No. 13433-13449/2019 (IX)
(FOR impleading party ON IA 86840/2019
FOR INTERVENTION/IMPLEADMENT ON IA 86840/2019
FOR GRANT OF INTERIM RELIEF ON IA 86852/2019
IA No. 86852/2019 - GRANT OF INTERIM RELIEF
IA No. 86840/2019 - INTERVENTION/IMPLEADMENT)

Date : 04-06-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MR. JUSTICE M.R. SHAH
(VACATION BENCH)

For Petitioner(s) Mr. Ashish Wad, Adv.
Mrs. Jayashree Wad, Adv.
Mr. Sidharth Mahajan, Adv.
M/S. J S Wad And Co, AOR

Mr. Makarand D. Adkar, Adv.
Mr. Dhaval S. Deshpande, Adv.
Mr. M.V.A. Joshi, Adv.
Bharti Tyagi, Adv.

Mr. Nishant Ramakantrao Katneshwarkar, AOR
Mr. Nishant Sharma, Adv.
Mr. Anoop Kandari, Adv.

For Respondent(s) Mr. Satya Mitra, AOR
Aneepradha Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel appearing on behalf of the respective parties. It appears that the applicants are aggrieved by the Public Notice dated 28.05.2019, and are pleading that they shall be evicted and/or their slums shall be demolished. It cannot be disputed that those slum dwellers who are eligible for alternative accommodation under the rehabilitation scheme, are required to be offered alternative accommodation, which it appears has been offered.

It is directed that before demolishing the slums units of the petitioners, they must be intimated of the alternative accommodation offered under the Scheme. After such intimation, the concerned persons may occupy the units offered. However, if they do not accept the offer, it will be open for the Corporation to demolish the existing huts. If it is found that any of these persons is not eligible to get the alternative accommodation as per the Scheme, the appropriate authority will communicate the same to such persons, and it will be open for such an aggrieved person to approach the Deputy Commissioner (Zone-II) by way of an appeal, as mentioned in the Public Notice, and follow the necessary procedure as mentioned in the Notice.

The Special Leave Petitions stand disposed of accordingly.
Pending applications also stand disposed of.

(GEETA AHUJA)
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER