

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3390 OF 2008

Babu Ranchod Tank & Ors. .. Petitioners

V/s.

Municipal Corporation of
Greater Mumbai & Ors. .. Respondents.

Mr.Nizamuddin Khan for the Petitioners.
Mr.S.N.Patil, AGP for Respondent No.3.
Mr.A.J.Bhor for BMC.

CORAM : S.C.DHARMADHIKARI AND

S.S.SHINDE, J.J.

VACATION JUDGE.

DATE : MAY, 29TH, 2008.

P.C.

. After this petition was argued for some time the learned Advocate appearing for the Petitioner makes a statement that he has instructions from the Petitioners to withdraw the Writ Petition.

2. However, he requests that the Petitioner have been residing at Kumbharwada, 1st Wadi, 90 ft.Road, Dharavi, Mumbai and they have documents in their possession to show that they would be eligible for alternate accommodation under the Welfare/beneficial

scheme of the State Government which has been initiated as far as Dharavi is concerned. For the Petitioners to approach these authorities, some time be granted and they be protected untill then. Mr.Bhor appearing for the B.M.C. objects to this and has pointed out that the predecessor in the title of the petitioner has been served with notice of eviction from this land. The appeal to the City Civil Court and Writ Petition to this Court have all failed. The Petitioners have been inducted by the said predecessor in title. They are therefore not entitled to any benefits in any scheme much less the Slums Rehabilitation Scheme.

3. We do not wish to enter into this controversy as the Petitioners are withdrawing the Writ Petition. Writ Petition allowed to be withdrawn with liberty to approach the State Government or appropriate Authority for seeking benefits of any welfare/ beneficial scheme. Dismissed as withdrawn. No costs.

(S.C.DHARMADHIKARI, J.)

(S.S.SHINDE, J.)