

JP CHAVAN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 541 OF 2013

Abdul V. Shaikh ... Petitioner

**Versus**

The State of Maharashtra and others ... Respondents

WITH

WRIT PETITION NO. 542 OF 2013

Mohammed Iqbal Qureshi ... Petitioner

**Versus**

The State of Maharashtra and others ... Respondents

WITH

WRIT PETITION NO. 543 OF 2013

Anisunisha Iqbal Quresi Mohammed ... Petitioner  
Iqbal Qureshi

**Versus**

The State of Maharashtra and others ... Respondents

Mr. Ghanshyam Upadhyay a/w Ms. Harsha Vaid i/by Law Juris for the  
petitioners

Ms. A. D. Vhatkar, AGP for Respondent Nos. 1 and 2

**CORAM : N. M. JAMDAR, J.**

**DATE : 30 April 2013**

P.C.

1. Learned counsel for the petitioners seeks to produce compilation of documents in support of case of the petitioners. The learned counsel for the petitioners has sought to rely on the order passed by the Divisional Commissioner, Kolhapur Division in Appeal DESK/Slum/1173/08 dated 26 August 2010 wherein the Divisional

Commissioner, in identical circumstances in respect of structures from the same area, had remanded the matter back to the Competent Authority for reconsideration of the claim of the petitioners therein.

2. The learned AGP, on instructions from Respondent No.3, Deputy Collector, who is present in the Court, states that the Deputy Collector will consider the documents now sought to be produced by the petitioners and after considering the documents will pass a fresh order.

3. The petitioners will produce such additional documents before the Collector within a period of one week from today. After the documents are produced by the petitioners, the respondent no.3 will take decision within a period of six weeks thereof.

4. Accordingly the petitions are disposed of by setting aside the order passed by the Divisional Commissioner dated 11 May 2012 and the order passed by the respondent no. 3 dated 21 January 2012. The respondent Nos. 3 will reconsider the claim of the petitioners in the light of the above, after hearing all concerned. It is made clear that the hearing that will be given by the Deputy Collector will be only for the purpose of satisfying himself with the documents produced.

5. The Writ Petition is disposed of accordingly.

(N. M. JAMDAR, J.)