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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 4379 OF 2021**  
**IN**  
**APPEAL FROM ORDER NO. 523 OF 2021**

Mallayya L. Dulam ...Applicant/Appellant

V/s.

Maharashtra Housing and  
Area Development Authority and anr. ...Respondents.

Mr. Ganesh Murthy i/b Kulkarni Law Associates LLP for the  
Applicant.

None present for the Respondents.

**CORAM : N.R. BORKAR, J.**  
**DATE : 31<sup>st</sup> DECEMBER, 2021.**  
**(VACATION COURT)**

**P.C. :**

1. According to the applicant, he was working in Mumbai Textile Mills from 1.6.1978 to 23.10.2003. As a mill worker, MHADA allotted him residential premises at New Hind Compound Building No.5-A, 15<sup>th</sup> Floor, Room No. 1509, Mazgaon, Mumbai. According to the applicant, certain documents were required to be submitted pursuant to the said allotment, however, due to illness, he could not submit the said documents to the defendant - MHADA within a stipulated period. The applicant has stated that due to non-submission of documents within stipulated period, the defendant - MHADA cancelled the said allotment. He thereafter filed an

application dated 28.9.2019 and sought time to submit the documents, however, the concerned officers from MHADA told him that unless and until the appropriate order is brought from the appropriate Court, they will not consider his application for allotment of suit premises.

2. The applicant has stated that he came across the news item published in Loksatta Newspaper dated 10.12.2021 that the defendant - MHADA had extended the date for submission of documents till 31.12.2021. It is stated that the applicant thus approached the concerned Officer from MHADA, however the concerned Officer refused to accept the documents on the premise that the matter is pending in the Court.

3. Considering the facts and circumstances, the defendant-MHADA without prejudice to the rights of the parties shall accept the documents of the applicant.

4. In the aforesaid terms, Interim Application is disposed of.

**[N.R.BORKAR, J.]**