

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.126 OF 2008
IN
WRIT PETITION NO.1326 OF 2007

Tulsiwadi Navnirman (SRA) Co-operative
Housing Society Ltd. And another ..Petitioners.
Vs.
The State of Maharashtra and others ..Respondents.

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Mr. Prakash Shinde i/b Mr. P.G. Desai for the Petitioners.
Mr. R.M. Kadam, Advocate- General with Mr. Pradeep Jadhav, AGP
for the State.
Mr. K.K. Singhvi, Senior Advocate with Ms. S.M. Modle for the BMC.
Mr. J.G. Reddy for Slum Rehabilitation Authority.

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WITH
WRIT PETITION (LODG.) NO.201 OF 2009

Devidas Sakharam Pangerkar and others ..
Petitioners.
Vs.
State of Maharashtra and others ..Respondents.

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Mr. S.S. Gawde i/b Mr. P.G. Sawant for the Petitioners.
Mr. Pradeep Jadhav, AGP for Respondent No.1.
Mr. G.D. Utangale for Respondent No.2.
Mr. S.G. Surana for Respondent NO.4.

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WITH
WRIT PETITION (LODG.) NO.77 OF 2009

Goregaon Geondevi SRA Co-op.
Hsg. Society Ltd. And others

..Petitioners.

Vs.

State of Maharashtra and others

..Respondents.

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Mr. M.P. Vashi for the Petitioners.

Mr. Pradeep Jadhav, AGP for the State.

Mr. G.D. Utangale for Respondent No.2.

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CORAM: SWATANTER KUMAR, C.J. &
DR. D.Y. CHANDRACHUD, J.
S.C. DHARMADHIKARI, J.

11th February, 2009.

P.C. :

1. We have heard learned counsel appearing for the different petitioners as well as the Advocate General. We find the request made on behalf of the State to be reasonable and consequently amend our order dated 18th December, 2008 to the extent that the second committee directed to be constituted at page 7 of our order, shall be consisting of the following :

“Principal Secretary / Secretary, Housing and Special Assistance Department, State of Maharashtra or any other Principal Secretary / Secretary nominated by the State who has an experience

in that field.”

2. Further clause (vi) will be added at page 7 to say that -

“(vi) The State shall forthwith appoint as Member Secretary of the committee any officer who is considered to be fit for holding the office.”

3. Having considered certain other issues raised today before us, we at the cost of repetition and in further elucidation of the directions, pass the following further directions :

i) All directions contained in the main judgment as well as our order dated 18th December, 2008 shall now be carried out immediately and not exceeding four weeks from today;

ii) The direction with regard to cases being listed on line and due computerization of that section of the committees shall be carried out at the earliest.

iii) Both the committees will have common or separate website as may be deemed fit by the authorities concerned; where the

public can file their petitions/ complaints which shall be duly registered and endorsement thereof can be given to the Applicant. This will include petitions directed under the orders of the Court and/or independently filed by the litigant or Applicant before the committees concerned. The committees should publicly declare their days of sitting and hours when the cases will be heard. Both the committees shall hear the parties wherever an application has been moved for grant of interim reliefs at the earliest because it has now been brought to our notice that Petitions are being heard after great delay and applications for interim orders are not even entertained by that committee. We direct that complete statistical data of both the committees be filed in the registry of the High Court every quarter.

The above directions shall be carried out by the concerned secretaries of the departments and we do express that the Court will not have to take further action for defaults of the directions.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.

S. C. DHARMADHIKARI, J.

