

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) No. 27400 OF 2022**

VAISHALI
ANIL
TIKAM

Deepak Vithal Adhav and Ors.

...Petitioners

Vs.

The State of Maharashtra and Ors.

...Respondents

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by VAISHALI
ANIL TIKAM

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**Mr. Vishal Raman a/w. Simil Purohit a/w. Bhushan Deshmukh i.b.
Arjun V. Lingalod for Petitioners**

Coram : Sandeep K. Shinde, J.

Dated: 26th August, 2022.

P.C. :

1. Not on board. Upon producing Preacipe, taken on Board.
2. Pursuant to order dated 1st July, 2022 passed by the Slum Rehabilitation Authority, the notices were issued under Sections 33 and 38 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971. The order of authority was challenged before the Apex Grievance Redressal Committee, Mumbai. On 12th August, 2022, the Appellate Authority declined to stay the execution of the notices issued under Sections 33 and 38 of the said Act. Feeling aggrieved thereby Petitioners have questioned the legality and correctness of the orders dated 1st July, 2022, 12th August, 2022 and notices. The Petitioners are apprehending

demolition of Notice structures/huts, occupied by them, rendering thereby the appeal infructuous. In the above circumstances, they have moved this Court for the protective order.

3. Heard learned counsel for the Petitioners.

4. Learned counsel for the Petitioners, on instructions, submits that the Respondent No.2 - Slum Authority and Respondent No.7 have been served, with proceedings.

5. In consideration of the fact that since Ganesh Chaturthi is celebrated widely in Mumbai, authorities shall not take any coercive action, in respect of notice structures, till 24th September, 2022. Thus clarified that the Court has not heard the Petitioners on merits but for the reasons stated above, time being protection has been granted. List the Petition for further consideration on 21st September, 2022. The Petitioners shall serve the proceedings on all contesting respondents before the returnable date and file affidavit of service to that effect.

Parties to act on an authenticated copy of the order.

(Sandeep K. Shinde, J.)