



nsc.

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

CIVIL WRIT PETITION NO.11966 OF 2018

Kashi Ram Borkar ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

Mr.D.C.Awari, for the Petitioner.

Mr.S.D.Rayarikar, A.G.P for the Respondent No.1.

Mr.D.R.More a/w Mr.Nitesh Mohite, for the Respondent Nos.3 to 5.

Mr.J.G.Aradwad (Reddy), for the Respondent No.6.

CORAM : REVATI MOHITE DERE, J.

DATE : 19th OCTOBER, 2018

P.C. :

1. Heard learned counsel for the Petitioner.
2. Learned Counsel for the Petitioner submitted that the Petitioner is entitled to a separate alternate accommodation, in addition to what has been given to Baburao Kacharu Borkar, her brother-in-law. He submitted that if the hutment is demolished, the Petitioner will not have any roof over



her head.

3. Learned Counsel for the Respondent No.6 – M/s.Naiknavare Developers, on instructions of the General Manager of Respondent No.6, submits that the Petitioner and her brother-in-law have entered into an Agreement with the Developer dated 16th August, 2014, in respect of Structure no.23, as indicated in the Exhibit – 'A', which is on page 14 of the Petition. He submitted that biometrics have also been done and that the Petitioner has no right to a separate alternate accommodation. He, however, states on instructions, that in the event, the Petitioner is found to be eligible for a separate alternate accommodation, the Respondent No.6 will abide by the orders that may be passed by this Court. Statement accepted.

4. At this stage, no case is made out for grant of any ad-interim relief. Affidavit in reply to be filed in the Registry before the next date.

5. Stand over to 5th December, 2018.

(REVATI MOHITE DERE, J.)