

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION (L) NO. 20233 OF 2023

Mahendra s/o. Bhaskar Dahibavkar .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

WITH
WRIT PETITION (L) NO. 20234 OF 2023

Vijay s/o. Waman Kadam .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

WITH
WRIT PETITION (L) NO. 20236 OF 2023

Uday Sitaram Sawant .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

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- Mr. Abhijit Patil a/w Mr. Santosh Sitap for Petitioners
 - Mr. S.B. Gore a/w Mr. M.A. Saiyed, AGP for Respondent Nos. 1 and 2 in WPL/20233/2023
 - Mr. Laxmikant Satalkar, AGP for Respondent Nos. 1 and 2 in WPL/20236/2023 & WPL/20234/2023
 - Mr. Vijay Patil for Respondent Nos. 3 & 4
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 28, 2023

P.C.:

- 1.** Heard learned Advocates appearing for the parties and perused the record of the case.
- 2.** Perusal of the record shows that there is a complainant who has filed a complaint with Respondent Nos. 3 and 4. Though strictly

speaking in spite of the statutory provisions of the Act and the impugned notice under Section 3E of the Maharashtra Slum Areas (I.C. & R.) Act, 1971, impleadment of the complainant is not necessary but in the facts of the present case, it should not happen that the complainant is not heard. Hence, Petitioners are directed to implead the complainant and serve a copy of the Petition on the complainant also. Amendment to that effect be carried out within a period of two weeks from today. Copy of the Petition shall be served on the Complainant within two weeks thereafter.

3. Issue notice to the Respondents including the newly added Respondent.

4. In addition to Court's notice, Petitioners are directed to serve the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

5. After receiving the notice, Respondents to file affidavit-in-reply within one week. Rejoinder if any shall be filed on or before the next date.

6. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (c) in respect of implementation and execution of the order dated 05.04.2023. Liberty to apply.

7. This order shall apply to all three Petitions considering that the impugned order is identical and passed on the same date under Section 3E of the Maharashtra Slum Areas (I.C. & R.) Act, 1971.

8. Stand over to **25th August, 2023.**

[MILIND N. JADHAV, J.]

Amberkar

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by RAVINDRA
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