

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 2553 OF 2023**

Laxmi Nivruti Kamble ...Petitioner  
*Versus*  
Public Works Department and Ors ...Respondents

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**Ms Trupti Kamble, daughter of the Petitioner, is present in person.**  
**Mr Shakeep Shaikh, (through Legal Aid), for the Petitioner.**  
**Mr Abhay Patki, Addl GP, for the Respondent-State.**  
**Mr PG Lad, with Sayli Apte & Shreya Shah, for Respondent-MHADA.**

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**CORAM G.S. Patel &  
Kamal Khata, JJ.**  
**DATED: 4th March 2024**

**PC:-**

1. The Petitioner persists in mentioning this matter. We had previously devoted a considerable amount of time to the matter and orders of a Bench, of which one of us was a member (G S Patel J) and Neela Gokhale J, from 13th March 2023 show that the Court made every endeavour to ascertain the factual position and to ensure legal representation to the Petitioner.

2. The matter then was within the roster of a Division Bench of Sunil B Shukre and Firdosh P Pooniwalla JJ. That Bench held on 8th September 2023 that *prima facie* there were disputed questions of fact. It noted previous orders that both sides would be heard so that the correct factual position could be ascertained. The Bench noted

that despite claims in the Petition, this was not a case where the Petitioner appeared to be living on the street. On 8th September 2023, the Petitioner was accompanied to Court by two ladies. One of them was the daughter of the Petitioner and the Court held that the Petitioner did indeed therefore have family support. This is important because the entire Petition proceeds on the basis that the Petitioner was being thrown out and is literally forced to live on the streets and is utterly without shelter and homeless. In previous orders, we noted for example that the Petitioner had another daughter who is a Police Constable (paragraph 6 of the order of 29th March 2023) and with whom the Petitioner appeared to be staying in official accommodation. When the Petitioner was confronted with this, the entire story changed to say that the other daughter was not looking after the Petitioner or her first daughter.

3. Despite this, the Court endeavoured to see if there was substance in the Petitioner's case.

4. Today, we are told that the Petitioner is unaware of the 8th September 2023 order. Though we find that hard to believe, to leave no room for doubt, we direct the Registry to give an ordinary copy of this order to the Petitioner and her daughter Trupti who is present in Court.

5. List the matter on Friday, 8th March 2024.

**(Kamal Khata, J)**

**(G. S. Patel, J)**