

therefore, the right to hearing before taking action for ejection is not necessary in the fact-situation. But the Commissioner should ensure that everyone is served with a notice and as far as possible by personal service and if it is not possible for reasons to be recorded in the file, through affixing of the notice on the hutment, duly attested by two independent panchas. This procedure would avoid the dispute that they were not given opportunity; further prolongation of the encroachment and hazard to the traffic and safety of the pedestrians.

In the additional affidavit of the appellant-Corporation, it raised and addressed four important questions of constitutional dimensions. The first question raised was to prevent the constant influx of the rural people to the urban areas and consequential growth of slums and encroachments; the second one relates to the need for preservation of the public property like road margin, street, place of public resorts like parks etc. to maintain ecological balance, sanitation and safety of pedestrians; the third question relates to lack of resources in the budgetary provisions to construct and allot houses for the poor and migrants of urban areas; and the fourth one relates