

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1347 OF 2014

Manish Ramniklal Sawla	.. Petitioner
vs	
State of Maharashtra & ors	.. Respondents

Mr.Mihir Desai Sr.Counsel a/w Mr.Chetan
Mali Advocates for Petitioner
Mr.R.J.Mane Assistant Government Pleader
for State-Respondent nos.1 and 6.

Mr.D.A.Nalawade Government Pleader
for S.R.A.Respondent no.2

Ms.Aparna Murlidharan i/b Mr.PG.Lad
Advocate for MHADA -Respondent no.3

Mr.A.R.Shaikh i/b Mr.S.D.Mishra
Advocate for Respondent no.4

Mr.D.P.Singh i/b Dr.G.R.Sharma
Advocate for Respondent no.7

**CORAM : S. C. DHARMADHIKARI &
G. S. KULKARNI, JJ.**

DATED : 1ST JULY,, 2015

P.C.

1. Let the Registry call the Petitioner and after verification and scrutiny of this Petition under Public Interest Litigation Rules, 2010 determine whether this is a Public Interest Litigation.

2. This direction is issued because on the own showing

of the Petitioner his name is not appearing in the list of eligible hutment dwellers and who are entitled for permanent alternate accommodation and on his own showing his relative/parents were held to be eligible and would obtain a tenement in terms of any scheme prepared and to be implemented by the statutory authorities including the Slum Rehabilitation Authority.

3. In the circumstances, the Petitioner is purporting to espouse a cause whereunder lands and which are owned by the statutory authorities on which there are slums or structures occupants of which are eligible to be rehabilitated permanently. He urges that the statutory authority usually add to the list of eligible slum dwellers certain other occupants so as to enable the builders and developers to benefit by inflating the number of eligible occupants/slum dwellers. Thereupon they obtain more Floor Space Index (FSI) and are able to put up structures and buildings containing flats for sale in the open market. If this is the case then let the Registry determine as to whether the Petitioner has satisfied the requirements stipulated in the Public Interest Litigation Rules.

4. After such scrutiny and clearance let the matter be placed before the appropriate Court.

G.S.KULKARNI, J

S.C.DHARMADHIKARI, J