

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

PUBLIC INTEREST LITIGATION NO.56 OF 2012

Joshi Shivshankar Jatashankar

..... Petitioner

V/s

The State of Maharashtra & Ors.

..... Respondents

None for the Petitioner.

Mr. Vinay Bhorge i/b M/s. Utangale & Co. for the Respondent No.2.

Mr. Nishant Sashidharan, Mr. Pratik Amin and Ms. Sneha Patil i/b
M/s. Maniar Srivastava Associates for the Respondent No.4.

CORAM : A.S. OKA &

A.A. SAYED, JJ.

DATED : 28 JULY 2016

ORDER:

1 The Petitioner appearing in person is not present. We have perused the prayers made in the Public Interest Litigation. Essentially the challenge is to the implementation of Slum Rehabilitation Scheme which is being implemented by the fourth Respondent. We have perused the Affidavit of Shri Nainesh K. Shah filed on behalf of the fourth Respondent on 1 September 2014. Various details of the steps taken by the fourth Respondent for developing the property have been set out in the said Affidavit. It is pointed out that the Letter of Intent (LOI) was initially issued

on 6 July 2002 and the Commencement Certificate and IOA for Rehab Building were issued on 6 February 2003. After consent was granted by 70% of the members of the Society to enable the fourth Respondent to redevelop the property, LOI dated 6 September 2008 was issued which was revised on 18 February 2014. It is stated in the Affidavit that more than 225 slum dwellers have been shifted. The commercial transit building is completed and Rehab Building No.1 is being constructed and 13th slab is being cast.

2 In view of the delay involved and in view of the substantial work carried out by the fourth Respondent, at this stage, there is no reason to entertain this Public Interest Litigation. Accordingly, the Public Interest Litigation is disposed of.

(A.A. SAYED, J.)

(A.S. OKA, J.)

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