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

PUBLIC INTEREST LITIGATION (L) No. 143 OF 2015

Mohd. Saleel Mahmood Shaikh and Ors.Petitioners
Vs.
The Chief Executive Officer SRA and Ors.Respondents

None for the Petitioners
Mr. Arvind Aswami i/b. J.G. Reddy for Respondent Nos.1 and 14
Mr. Chetan Mhatre a/w. Devangi Gandhi i/b. Utangale & Co. for
Respondent No.2
Mr. Prashant Nakati for Respondent Nos.6 & 7

***CORAM : V. M. KANADE &
SMT. SWAPNA S. JOSHI, JJ***

DATE : SEPTEMBER 8, 2016

P.C. :

1. None appears for the Petitioners.
2. By this petition, which is filed under Article 226 of the Constitution of India, the Petitioner is seeking the following reliefs :

“(a) That a Writ of Certiorari or Writ in the nature of Certiorari or any other order and direction from this Hon'ble High Court be given calling upon the Respondents to produce all relevant documents pertaining to the said land bearing

CTS No. 151, 151 (p) 1 to 61, Village: Ghatkopar (West), Taluka : Kurla, Mumbai – 400 086 including adjoining CTS No. 152 to 155 and after going through the legality, validity and propriety of the same, set aside any order, permission or sanction granted to Respondent No.6;

(b) this Hon'ble Court be pleased to give direction to Respondent Nos.1,2 and 5 to examine the legality of the rehab building constructed by Respondent No.6 and ensure due compliance of the DCR rules and regulations and to submit detailed report in stipulated time period before this Hon'ble Court;

(c) That a Writ of Mandamus or Writ in the nature of Mandamus or any other order and direction as this Hon'ble Court may deem fit and proper be given to direct the concerned Respondents to initiate appropriate enquiry with regard to the illegality and fraud committed by Respondent Nos.6 and 7;

(d) This Hon'ble Court be pleased to revoke the LOI dated 17.01.2009 and 20.06.2009 issued to Respondent No.6 in respect of CTS No. 151, 151(p) 1 to 61, Village Ghatkopar (West), Taluka : Kurla, Mumbai – 400 086;

(e) This Hon'bl Court be pleased to direct the Respondent

Nos. 1 to 4 and Respondent Nos. 6 and 7 to carry out joint measurement of CTS Nos. 151, 151 (part) 1 to 61, 152, 153, 154 and 155 and construct wall on the respective CTS boundaries.

(f) That this Hon'ble Court be pleased to direct the Respondent No.6 to pay corpus fund and property tax as per SRA scheme.

(g) Pending the hearing and final disposal of this Petition, this Hon'ble Court be pleased to stay the construction activities carried out by Respondent No.6 till the due compliance of DCR rules and regulations.”

3. We are of the view that there is no public interest involved in this petition. Since the aggrieved person(s) by virtue of the SRA Scheme can always approach this Court. Hence, PIL is dismissed, reserving the right of the aggrieved person(s) to approach this Court.

SWAPNA S. JOSHI, J.

V.M. KANADE, J.