

psv

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

WRIT PETITION (L.) NO.430 OF 2017

M/s.Shakti SRA Co-operative
Housing Society Ltd. & Anr.

..Petitioners

Vs.

The Chief Executive Officer and the
Secretary, SRA & Ors.

..Respondents

Mr.S.G. Kudle for Respondent Nos.4 to 8.

Mr.M.M. Vashi, Senior Advocate, with Ms.Aparna Deokar for
Petitioners.

Mr.A.A. Desai for Respondent No.1-SRA.

Mr.Kunal Bhange, AGP for Respondent Nos.2 and 3.

Mr.Sagar Patil for MCGM.

**CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.**

DATE : 29th NOVEMBER 2017

P.C.:

In this petition, the challenge is to the order dated 31st January 2017 passed by the Secretary, SRA, holding the respondent Nos.4, 5, 7 and 8 as eligible slum dwellers under the SRA Scheme of M/s.Shakti Property Developers Pvt. Ltd. on a plot of land bearing Survey No.263 (Part), CTS No.6A (Part) of Village Malvani, Taluka Borivali.

2. Undisputedly, against the said order, the petitioners have got remedy of filing appeal as provided under Section 35 of the

Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971.

3. In the circumstances, we dispose of this petition with liberty to the petitioners to challenge the said order before the appellate authority. In case the petitioners file the appeal within two weeks from today, the same shall not be dismissed by the appellate authority on the ground of limitation.

4. We expect that the appellate authority will decide the petitioners' appeal as expeditiously as possible, but in any case not later than 4 months from the date of filing of the appeal.

5. All the contentions of the parties are kept open.

6. The Writ Petition is disposed of.

7. Parties to act on the authenticated copy of this order.

[G.S. KULKARNI, J.]

[SHANTANU S. KEMKAR, J.]