

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.644 OF 2017

Santosh Manmohan Tripathi & Anr. ... **Petitioners**

V/s.

The State of Maharashtra & Ors. ... **Respondents**

.....

Mr.S.S.Kanetkar, Advocate for the Petitioners.

Mr.R.J.More, AGP for the Respondent No.1

Mr.G.B.Walawalkar i/b. Mr.S.P.Thorat, Advocate for the Respondent No.2.

Mr.Prashant P. Kulkarni i/b. Mr.A.M.Rajgole, Advocate for the Respondent No.4.

....

**CORAM : SHANTANU S. KEMKAR &
A. M. BADAR JJ.**

DATED : 28th APRIL 2017

P.C.

1 During the course of hearing, the learned counsel appearing for respondent No.4 submits that in view of the fact that Slum Rehabilitation Authority ("SRA" for the sake of brevity) vide its order dated 13th May 2013 (Exhibit E) has held that the petitioners were having floor mill even prior to 1995 and also held the petitioners to be eligible for 'floor mill', the respondent No.4 shall amend the Plan of Building accordingly and shall submit the same before the Competent Authority i.e. respondent No.3 and 6 within four weeks from today for appropriate sanction in accordance with law.

2 As regards the transit rent/compensation, the learned counsel for the petitioners submits that as on date, more than Rs.9,00,000/- are due against the petitioners at the rate of Rs.20,000/- per month. The learned counsel for the respondent No.4 submits that respondent No.4 will immediately pay Demand Draft of Rs.1,00,000/- to the petitioner today itself and the balance amount will be paid within 15 weeks from today. He also submits that regular monthly payment will be paid from the next month itself.

3 As regards the prayer for enhancement of transit rent/compensation, it will be open for the petitioners to approach the SRA.

4 Recording the aforesaid stand taken by the respondent No.4 which has been accepted by the petitioners and with the aforesaid observations and directions, we dispose of the petition.

5 The petition stands disposed of accordingly.

(A. M. BADAR J.)

(SHANTANU S. KEMKAR J.)