

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

WRIT PETITION NO.821 OF 2016

BarkatAli (Nagori) Mohammed Siddiqui : Petitioner.
Versus
Deputy Collector (Enc./Rem.)
and Competent Authority Bandra and ros. : Respondents.

**ALONG WITH
WRIT PETITION NO.428 OF 2016**

Imtiyaz Rehman Khan : Petitioner.
Versus
Deputy Collector (Enc./Rem.)
and Competent Authority Bandra and ros. : Respondents.

**ALONG WITH
WRIT PETITION NO.458 OF 2016**

Kaisari Begum Yunus Khan : Petitioner.
Versus
Deputy Collector (Enc./Rem.)
and Competent Authority Bandra and ros. : Respondents.

**Mr. Paivinder Singh Sethi i/by Mr. Khan Mohd. Yousuf G Panjatan for the
Petitioners.**
Mrs. Uma Palsule-Desai AGP for the Respondent Nos.1, 2 and 4.
Ms. Vrushali Maindad i/by Mr. A A Desai for the SRA.
Mr. M S Surana for the Respondent No.5.

**CORAM : R. M. SAVANT &
SMT. SADHANA S JADHAV, JJ.**

DATE : 30th JUNE 2017

P.C.

1 The above Petitions as originally filed to lay a challenge to the order dated 08/06/2015 passed by the Deputy Collector (Enc./Rem.) and Competent Authority, Bandra under Section 33 of the Slum Act as also the order dated 14/10/2015 passed by the Additional Collector (Enc./Rem.)

Western Suburbs dismissing the Appeals filed by the Petitioners against the order dated 08/06/2015. The Appellate Order is passed under Section 35 of the Slum Act. The Petitioners have thereafter amended the Petitions and sought the relief that a direction be issued to the State Government to constitute a Grievance Redressal Committee under Section 35(1A) of the Slum Act. By the 2nd amendment the Petitioners claim the relief that a direction be issued to the SRA, Competent Authority and the Developer to provide a permanent alternate accommodation to the Petitioners.

2 However, the learned counsel appearing for the Petitioners during the course of hearing of the above Petitions would submit that the Petitioners would press the said prayers regarding the challenge to the orders under Sections 33 and 35 of the Slum Act as also the prayer for permanent alternate accommodation before the Grievance Redressal Committee constituted under Section 35(1A) of the Slum Act.

3 In so far as the Grievance Redressal Committee is concerned, we are informed that a notification has been issued constituting the Grievance Redressal Committees for various areas. However, the Grievance Redressal Committees have not yet started functioning. An identical issue had come up before another Division Bench of this Court headed by the Hon'ble the Chief Justice in Writ Petition (Lodging) No.1554 of 2017. By an order passed on

14/06/2017 the Division Bench has clarified that till the Grievance Redressal Committee starts functioning, the parties can approach the High Power Committee (HPC) which is functioning at present for redressal of their grievances. The said observations have been made in paragraphs 3 and 4 of the said order dated 14/06/2017. The said paragraphs are reproduced hereinunder for the sake of ready reference :-

“3 Till then, in order to facilitate the public, High Power Committee itself is receiving applications and the same would be transferred to the GRC as and when it becomes functional. In that view of the matter, we fail to understand the grievance of the petitioners.

4 We make it clear that till the GRC is made functional in terms of Rule 9 as stated above, the HPC will be functional and take up the issues and decide the Appeals in accordance with the earlier procedure.”

4 In view of the statement made by the learned counsel for the Petitioners as recorded herein above, it is not necessary to keep the above Petitions pending. The Petitioners can approach the High Power Committee (HPC) for redressal of their grievances which have been mentioned in the above Petition as and when the concerned Grievance Redressal Committee starts functioning. The contentions of the Petitioners in that regard are kept open for being urged before the High Power Committee. With the aforesaid directions, the above Writ Petitions are disposed of.

[SMT. SADHANA S JADHAV, J]

[R.M.SAVANT, J]