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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.12905 OF 2018

Ganesh Nagar Co-operative Housing Society
(Proposed) and Anr.

..Petitioners

Versus

Slum Rehabilitation Authority & Ors.

..Respondents

Dr.Birendra Saraf, Sr. Advocate, alongwith Mr.Vishal Kanade, Mr.Anushak Davar, Ms. Deepa Bisht, Mr.Vinay Taliwal and MR.Tushar Goradia for the Petitioners.

Mr.V.A. Thorat, Sr. Advocate alongwith Rajesh Kachare, Prachi Sugdare and R.M.Bagkar i/by Bagkar & Co. for the Respondent No.2.

Mr.Surana alongwith Mr.Rohan Tamhane. i/by Tamhane & Co. for the Respondent No.3.

CORAM : REVATI MOHITE DERE, J.

DATED : 2nd NOVEMBER 2018

P.C.:

1] Not on board. Taken on board.

2] Dr. Saraf, learned Senior Counsel for the Petitioners submits that the Petitioners are constrained to approach this Court for interim relief, as the Apex Grievance Redressal Committee (AGRC) is not available till 17th November, 2018. He submits that the Petitioners have filed an Appeal

before the AGRC, wherein they have challenged the order dated 16th October, 2018 passed by the Respondent No.1-Slum Rehabilitation Authority. Learned Senior Counsel requests that since the AGRC is not available, status-quo order be granted for a limited period to enable the Petitioners to approach the AGRC for interim relief, pending the final disposal of their appeal.

3] Mr.Thorat, learned Senior Counsel appearing for the Respondent No.2 submits that pursuant to the order dated 16th October, 2018, passed by the Respondent No.1-Slum Rehabilitation Authority, the Respondent No.2 held a meeting on 27th October, 2018 and pursuant to the said meeting, a proposal was submitted to the Respondent No.1 on 31st October 2018. Learned Senior Counsel without prejudice to the rights of the Respondent No.2, on instructions states that the Respondent No.2 will not take any steps pursuant to the proposal dated 31st October, 2018, submitted by them to the Respondent No.1, till 28th November 2018. Statement accepted.

4] Since the Petitioners appeal is pending before the AGRC, it is not necessary to go into the merits of the case. Suffice to state, that since the Respondent No.2 has already submitted the proposal on 31st October, 2018, the Respondent No.1- Slum Rehabilitation Authority, shall not act on the

said proposal till 28th November, 2018, in order to enable the Petitioners to approach the AGRC on or before the said date, for seeking appropriate ad-interim/interim reliefs.

5] The Petition is accordingly disposed off on the aforesaid terms.

6] It is made clear, that this Court has not considered the merits of the case. The AGRC will decide the Appeal as well as prayer for interim relief on its own merits, uninfluenced by the interim protection granted by this Court. All contentions of all parties are kept open.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)