

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 3400 OF 2018

Laxmi Nandeshwar and anr. .. Petitioners
Vs.
Slum Rehabilitation Authority and ors. .. Respondents

Mr.Rajiv Patil, Senior Counsel a/w Mr.Sachin S.Pune, for the Petitioners.

Mr.Vijay Patil, for Respondents No. 1 & 2.

Mr.Anil D'Souza a/w Ms.Mohini Thorat, for Respondent No.4.

Mr.S.U.Kamdar, Senior Counsel a/w Ms.Manorama Mohanty, Ms.Kavita Srivastav Sharan, Mr.Gaurav Srivastav I/b M/s.S.K.Srivastava & Co., for Respondent No. 8.

Mr.L.T.Satelkar, AGP for Respondent No.9 – State.

**CORAM : B.R.GAVAI &
M.S.KARNIK, JJ.
DATE : 3rd OCTOBER, 2018**

P.C. :

. The Petitioners who claim to be the members of Respondents No. 4 & 5 - Societies have approached this Court praying for setting aside the impugned selection process contained in notice dated 17/09/2018.

2. Shri Patil learned Counsel appearing for the Respondents No.1 & 2 submits that the selection process for selecting the developer for the combined development of Respondents No.3, 4 & 5 – Societies, whose total membership is around 475 members is in progress.

3. Shri Patil has made various submissions including that an attempt is made to give a back door entry to a blacklisted contractor. He submits that the Respondent No. 8 is having a Director who is the son of blacklisted candidate.

4. Shri Kamdar learned Senior Counsel submits that though the Respondent No.8 has withdrawn from the fray, the Respondent No.8 - Larsen and Toubro without the association of the said blacklisted person's son could be independently entitled to bid in the said selection process.

5. We find that the present proceedings are an attempt to stall the process at the initial stage at the instance of two persons wherein development concerns around 475 persons.

6. In any case, if there are any irregularities in the selection process, the Respondents No. 3, 4 or 5 would be entitled to take recourse of such steps as are permissible in law.

7. In this view of the matter, we are not inclined to exercise our writ jurisdiction under Article 226 of the Constitution of India . The Writ petition is therefore rejected.

(M.S.KARNIK, J.)

(B.R.GAVAI, J.)