

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION (L) NO.680 OF 2019**

Parmanand K. Mhatre & Ors.

....Petitioners

vs

The Slum Rehabilitation Authority & Ors.

...Respondents

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Mr. Ashish Kamat, i/b. Rukmini A. Thorat Meher, for the Petitioners.

Mr. Jagdish G. Aradwad (Reddy), for Respondent No.1.

Mr. Chirag Balsara, i/b. H.V. Kode, for Respondent No.2.

Ms. Swapna Roopavale, i/b. Tushar Goradavia, for Respondent No.3.

Mr. S.A. Sawant, i/b. S.M. Suryawanshi, for Respondent Nos. 4 to 10.

Dr. Birendra Saraf, i/b. Mr. Pravin Tambe, for Respondent No. 12.

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CORAM : S.C. GUPTE, J.**DATED: 27 MARCH 2019****P.C.:**

. This writ petition challenges an order passed by CEO, SRA on 18 January 2019. By the impugned order, the CEO, SRA accepted appointment of a new developer, Respondent No.3 herein, as a developer for a slum rehabilitation scheme concerning Respondent No.2 society and instructed the new developer to obtain Annexure-II from the competent authority for the purposes of the scheme. After the matter is heard at some length, it is agreed between learned Counsel for the parties that the impugned order dated 18 January 2019 may be set aside by consent and

the matter may be remanded to the stage of the order of 24 September 2018. In accordance with the order dated 24 September 2018, passed by CEO, SRA, the appointment of the earlier developer M/s. Chunilal Velji Patel & Co. has stood terminated and the present administrator of Respondent No.2 society was to conduct elections of the managing body of Respondent No.2 society. After such elections, Respondent No.2 society was to be at liberty to appoint new developer of their choice for implementation of the subject slum rehabilitation scheme. Such newly appointed developer could then reimburse the actual expenses legally incurred by the developer M/s. Chunilal Velji Patel & Co. towards implementation of the subject slum rehabilitation scheme till termination of its appointment, i.e. till 24 September 2018. It is ordered accordingly that the administrator shall hold elections to the managing body of Respondent No.2 society and then Respondent No.2 society shall consider appointment of a new developer of its choice through such newly elected managing body. The impugned order of CEO, SRA dated 18 January 2019 is set aside by consent to enable the parties to take the steps noted above. It is made clear that the present order does not contain any restriction on the processing of Annexure-II by the competent authority. The petition is disposed of accordingly.

(S.C. GUPTE, J.)