

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION (L) NO.1099 OF 2019**

Midas Developers Pvt. Ltd. And Anr.Petitioners

VS

Apex Grievance Redressal Committee And 2 Others ...Respondents

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Mr. Mayur Khandeparkar, a/w. Ms. Shamima Taly and Mr. Aziz Shaikh,
i/b. S. Mahomedbhai & Co., for the Petitioners.

Mr. Vijay D. Patil, for Respondent Nos. 1 and 2.

Mr. Anoshak Daver, a/w. Ms. Neha Mehta, i/b. Ms. Neha Mehta, for
Respondent No.3.

Mr. Gauraj Shah, i/b. Mrugank & Basutkar, for Respondent No.4.

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CORAM : S.C. GUPTE, J.

DATED: 24 APRIL 2019

P.C.:

. Heard learned Counsel for the parties. This writ petition challenges a miscellaneous order passed by Apex Grievance Redressal Committee ("AGRC") on an application for interim relief pending an appeal from an order of CEO, SRA passed under Section 13(2) of Maharashtra Slum Areas (Improvement, Redevelopment and Clearance) Act, 1971 (Slum Act). The impugned order, though it finds that the Petitioners had made out a case of urgency, does not grant any protection to them. After the matter is heard at length, it is agreed between all contesting parties that the impugned order of AGRC dated 11 January 2019 may be set aside and the matter be remitted to AGRC

for hearing of the main appeal, i.e. Appeal No.5 of 2019. Pending the hearing and final disposal of the appeal, there will be a stay of the impugned order passed by CEO, SRA on 24 December 2018. AGRC shall hear the appeal and decide the same as expeditiously as possible and in any event within a period of four months from pointing out this order authenticated by the Associate of this Court to AGRC. In the meantime, the third Respondent Society, to make out its bonafides, shall deposit two years' rent payable to all eligible slum dwellers in the account maintained with Axis Bank in accordance with Circular No.153 within a period of four weeks' from today. It is made clear that this is an adhoc measure and AGRC will be free to issue further suitable directions in this behalf. It is made clear that the interim stay ordered herein shall stand vacated, if such rent is not deposited within the stipulated period. The writ petition is disposed of in the above terms.

(S.C. GUPTE, J.)