

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

**WRIT PETITION (L) NO.1160 OF 2018**

|                                              |     |             |
|----------------------------------------------|-----|-------------|
| Anita Rajesh Tiwari                          | ... | Petitioner  |
| versus                                       |     |             |
| The Chief Executive Officer, SRA<br>and Ors. | ... | Respondents |

Mr. S.G.Kudle, for Petitioner.

Mr. Milind More AGP with Mr. Himanshu Takke, AGP, for Respondent No.2

Mr. M.M.Vashi, Senior Advocate with Ms. A. Deokar I/by M/s. M.P.Vashi Associates, for Respondent Nos.3 and 4.

**CORAM: AKIL KURESHI &  
S.J. KATHAWALLA, JJ.**

**DATE: 10<sup>th</sup> JULY, 2019**

**P.C.:**

1. The learned Counsel for the Petitioner has pressed for following reliefs :

“(b) This Hon’ble Court be pleased to issue the writ of mandamus order, directions or any other order and directions or appropriate writ in the nature of mandamus directing Respondents herein and more particularly Respondent Nos.3 and 4 herein to accommodate the Petitioner and similarly situated slum dwellers by way of allotting them permanent alternate accommodation admeasuring 269 sq.ft. carpet area forthwith without raising any eye-brows forthwith;

(c) This Hon’ble Court further be pleased to declare that the Petitioner and other similarly situated slum dwellers are entitled for arrears of rent from the day their structures came to be demolished at the rate of Rs.10,500/- per month and the said arrears be ordered to

be paid by the Respondent Nos.3 and 4 herein forthwith to the slum dwellers including the Petitioner;”

2. Learned Counsel clarified that the prayer for investigation against the developer for alleged mis-deeds, being the nature of public interest, he would not press the same in the present Petition keeping options of the Petitioner open. Permission granted.

3. Both the above mentioned prayers which the Petitioner has pressed before us, was subject matter before us in Writ Petition No.1432 of 2018. We have given a detailed reasons for not accepting prayer (b). Without recording separate reasons, in the present case also, the said prayer is rejected with a rider that as recorded in the aforesaid judgment, that the developer had in the past and presently also ready to allot the dwelling unit of 225 sq.ft., which if the Petitioner desires, he may accept.

4. Regarding rent for the earlier period, the Petitioner would approach the SRA authority within four weeks from today. If done, the application be decided on merits.

5. The Writ Petition is disposed of in above terms.

( S.J.KATHAWALLA, J. )

( AKIL KURESHI, J. )