

Shephali/Shiv

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3179 OF 2019
WITH
INTERIM APPLICATION (L) NO. 23239 OF 2021

Rajbali Daulat Singh ...Petitioner
Versus
Slum Rehabilitation Authority (SRA) & Ors ...Respondents

Mr Akshay Bobade, *with Yatin R Shah, Shivam Bhagwati & Shahzad Khajotia, for the Petitioners.*
Mr Abhijeet Kulkarni, *with Viraj Hake, for Respondents Nos. 1 and 3.*
Mr GS Godbole, *with Vyom Shah, Jimish Shah, Aneesha Munshi & Abraham Fernandes, i/b Divya Shah Associates, for Respondent No. 4.*
Mrs Shakuntala A Mudbidri, *for Respondents Nos. 5 and 7 to 10.*
Mr GT Satelkar, AGP, *for Respondent-State.*

CORAM G.S. Patel &
Madhav J. Jamdar, JJ.
DATED: 14th December 2021

PC:-

1. In view of the order passed on 5th October 2021 by the Deputy Chief Executive Engineer, SRA (Exhibit "LL" at page 336) of the Affidavit in Reply, it is clear that the entire Slum Rehabilitation Scheme has been rejected. The reasons are not

important. What is material is that the Petitioner's anxiety that the SRA Scheme will be sanctioned and, will cover part of the land on which the Petitioner is an occupant no longer survives. There is no cause for any such apprehension any longer, simply because there is no SRA Scheme at all. We also note in addition that the Petitioner is an occupant and not a co-owner of the land. He is also not a tenant and has made no such claim. The slum declaration is of 15th April 1977 and has been duly notified and gazetted. There is no challenge to that notification.

2. In view of these factors, we see no purpose in keeping the Petition pending. It is disposed of in these terms. There will be no order as to cost.

3. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)