

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3166 OF 2021

Mahim Janta S.R.A CHS Ltd .. Petitioner
Versus
The Slum Rehabilitation Authority
S.R.A. Mumbai .. Respondent

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Mr. Kunal Damle for the petitioner.
Mr. Anoop U. Patil for respondent no.1.
Mr. Balasaheb Deshmukh for respondent no.2.

CORAM: RAVINDRA V. GHUGE, J.
DATED : 01st FEBRUARY, 2022

P.C:-

1 I have briefly considered the submissions of the learned Advocates for the respective sides.

2 The Apex Grievance Redressal Committee (SRA), Mumbai (for short known as “AGRC”) has not been arrayed as the respondent. The Appeal preferred by the petitioner on 29/1/2021 is still pending before the AGRC.

3 In view of the above, the petitioner is directed to add the AGRC as respondent no.6. Considering that the learned Advocate who normally appears for the SRA, Mumbai, can also

appear for the AGRC. I requested Shri Patil, the learned Advocate representing SRA, to avoid further wastage of time, to cause an appearance on behalf of added respondent no.6. Respondent no.6 is being added as a formal party.

4 In view of the above, addition be carried out forthwith. The appearance of Shri Patil on behalf of added respondent no.6 is noted.

5 Respondent no.2 makes a serious grievance as regards contention of the petitioner that she is not entitled to an allotment. Her eligibility was declared way back in 2007. There has been no challenge to her eligibility in the last 15 years. The pending Appeal before the AGRC is, therefore untenable.

6 Considering the above, this Petition is disposed off with the following directions :-

(a) All the litigating parties shall appear before the AGRC on 18/2/2022 at 2.00 p.m. Formal notice need not be issued by the AGRC.

(b) All the litigating parties are at liberty to enter their written notes of submissions along with case law, if any, on before 18/2/2022 to be tendered before the AGRC.

(c) Besides the same, they are at liberty to address the AGRC orally on 18/2/2022.

(d) Pursuant to the above, the AGRC would close the matter for delivering its order and would pass a reasoned order on 15/3/2022 at 3.00 p.m. All the litigating parties are obliged to remain present on the said date and time to note the announcement of the order.

(e) The AGRC would keep its reasoned order ready so as to deliver copies of the same to the litigating parties on the said date i.e. 15/3/2022, subject to payment of requisite fees, if any.

7 The ad-interim protection granted by this Court to the petitioner on 22/7/2021 would continue until 15/3/2022.

8 It is made clear that the AGRC would consider all the contentions of the parties, including the contention of respondent no.2 that the petitioner does not have the locus to question her eligibility and her allotment and for imposition of costs.

RAVINDRA V. GHUGE, J