

Sonali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4819 OF 2021

Annasaheb Baburao Mhaske

...Petitioner

Versus

The Slum Rehabilitation Authority & Ors

...Respondents

Ms Neha R Parte, with Vishakha V Shelar, for the Petitioner.

Mr RP Kadam, AGP, for Respondent-State.

Mr Abhijit P Kulkarni, with Viraj Hake, for Respondent No.1-SRA.

**Mr Mayur Khandeparkar, with Viraj Parikh, Taruna Nagpal, i/b
DSK Legal, Advocates, for Respondent No.2.**

**Mr Girish Godbole, with Munaf Virjee and Akash Agarwal, i/b ABH
Law LLP, for Respondent No.3.**

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**

DATED: 28th January 2022

PC:-

**SONALI
MILIND
PATIL**

Digitally signed by
SONALI MILIND
PATIL
Date: 2022.01.29
10:20:00 +0530

1. Mr Khandeparkar, learned counsel for the 2nd Respondent developer confirms that the 2nd Respondent has deposited in the designated account with the SRA the amounts due to those of the Petitioners who are eligible. This is confirmed *inter alia* by the letter at page 110. This is a communication by the Assistant Registrar of the SRA to the Financial Controller. It gives the names of the eligible persons, the amounts payable to them and their respective bank details. The SRA must now proceed to process these payments as the earliest possible.

2. We also note that, as regards Petitioner No. 2, the controversy as to eligibility has been resolved at least to the extent that the developer has also deposited in the designated account of the SRA the amount of transit rent due to Petitioner No.2.

3. Having regard to the reliefs sought in the Writ Petition, we do not believe that anything else survives since the reliefs are only in regard to pending transit rent. Therefore, at this stage no further orders are required in the Writ Petition.

4. We dispose of this Petition with these directions and further accepting the statement of the developer that the future payments of the transit rent if any will be made on schedule as required by the SRA.

5. We leave open the question of whether the Petitioners are entitled to transit rent at a higher rate than that directed by the SRA and agreed upon by the society.

6. The Writ Petition is disposed of in these terms. No costs.

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

(Madhav J. Jamdar, J)

(G. S. Patel, J)