



Gaikwad RD

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 17674 OF 2023

Ambedkar Nagar Kokari Agar Co-operative
Housing Society & Anr

...Petitioners

Versus

Slum Rehabilitation Authority & Ors

...Respondents

Mr Mayur Khandeparkar, *i/b Madhur Surana, for the Petitioners.*
Mr Jagdish G Aradwad (Reddy), *for the Respondents No.1 to 4-SRA.*
Ms Sapna Rachure, *for Respondent No.5.*
Dr Birendra Saraf, Advocate General, *with Mrs PH Kantharia,*
Government Pleader, for Respondent-State.

CORAM G.S. Patel &
Neela Gokhale, JJ.
DATED: 30th August 2023

PC:-

1. The application is at the instance of the State Government in regard to paragraph 4 of our order of 7th July 2023. We are told that there is some apprehension that the order operates as a blanket injunction against politicians from visiting the SRA offices. No part of paragraph 4 even suggests this. Our order has to be seen in the context in which it was made, where a local political person attempted to hold a public meeting in the offices of the SRA and to stop the SRA from continuing with a process of biometric or Aadhaar-based authentication or identification. We have no

difficulty with political persons conducting their business and affairs in their own offices or at SRA site or personally meeting with SRA officers if necessary. But we do not believe that it is open to these persons to hold public meetings with outsiders in the offices of the SRA. In fact, in paragraph 3 we noted that a meeting was called by the 5th Respondent at the SRA office. This is quite different from saying that the 5th Respondent went to meet SRA officials at the SRA office.

2. Lastly, it is clear to us that in law the SRA is supervised and controlled by a known and defined system. This is why we have made express provisions for the Housing Department and the Urban Development Department and for Cabinet Ministers to issue directions to the SRA. There would be otherwise utter chaos if every person claiming some political influence was to start issuing directives or orders to SRA to do or not do a particular act or perform a particular duty.

3. In this particular case, we note that as a result of this public meeting, the SRA was purportedly stopped from proceeding with a process of biometric identification which we ourselves had required to prevent illicit trafficking in SRA allotments. That was our objective, and we believe it was entirely in the interest of the SRA and the public interest to continue with that identification process and not have it interrupted.

(Neela Gokhale, J)

(G. S. Patel, J)