

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2108 OF 2024

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Fatima Sayed Yunus

... Petitioner

V/s.

Slum Rehabilitation Authority & Ors.

... Respondents

Mr. V.R. Tripathi i/by Mr. V.T. Tripathi Associates for the petitioner.

Mr. Abhijit Patil i/by Mr. Vijay Patil for respondent Nos.1 & 2 (SRA).

Mr. Deepak Shukla i/by Mr. Vinod Mistry & Co. for respondent No.3.

Mr. Jagdish G. Reddy for respondent No.4/AGRC.

Mr. D.S. Deshmukh, AGP for respondent No.5/State.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2024

P.C.:

1. By the impugned order, the Apex Grievance Redressal Committee ("AGRC" for short) has rejected petitioner's application challenging 48 hours notice issued under Section 33 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. The AGRC has rejected the application mainly on the ground that the petitioner's articles were removed on 28 February 2022 after taking help of police. The AGRC has recorded a finding that as per the lottery drawn in accordance with

Slum Rehabilitation Authority norms, Room No.103 was allotted to the petitioner's mother. However, the petitioner refused to accept the tenement in rehab building.

2. The AGRC while rejecting the application permitted petitioner to approach the society for taking possession of Room No.103 allotted to her as per lottery.

3. The AGRC has recorded a finding that the petitioner's possession was taken on 28 February 2022. It is, therefore, necessary that as per SRA Rules the transit rent shall be paid to the petitioner from 28 February 2022 till delivery of actual possession of Room No.103 within four weeks from today.

4. Learned advocate for the developer, on instructions, states that he will ensure that the society hands over possession of Room No.103 to the petitioner/Fatima Sayed Yunus.

5. Accepting the statement made on behalf of the developer, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)