



Darshan Patil

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2003 OF 2019**

New Taj SRA Housing Society ...Petitioner
Versus
Slum Rehabilitation Authority and Ors. ...Respondents

**ALONG WITH
WRIT PETITION NO. 1175 OF 2024**

Zaibunnisa Arshad Jabbar ...Petitioner
Versus
Municipal Corporation for Greater Mumbai and ...Respondents
Ors.

Dr Uday Warunjikar, *a/w Mr Jenish Jain, for the Petitioner in WP/2003/2019.*
Mr S K Dubey, *for the Petitioner in WP/1175/2024.*
Ms Priyanka Sonawane, *for the Respondent-BMC in both Writ Petitions.*
Ms Kavisha Shah, *a/w Nikhat Chaudhary, for the Respondent-Adani Electricity in WP/1175/2024.*
Mr Abhay L Patki, *Addl. GP, a/w Ms Uma Palsuledesai, AGP, for the Respondent-Stat in WP/1175/2024*

**CORAM M.S. Sonak &
Kamal Khata, JJ.**
DATED: 03rd July 2024

PC:-

1. Heard learned counsel for the parties.

WRIT PETITION NO. 1175 OF 2024

2. Learned counsel for the petitioner seeks direction to the authorities for the supply of water and electricity connections.

3. In so far as the electricity connection is concerned, communication dated 06 July 2022 (at Exhibit 'H', page No. 71 to the petition) sanctioned Adani Electricity as an electricity connection. Ms Shah learned counsel for Adani Electricity, points out that the connection can be granted if police protection is provided. Communication dated 06 July 2022 at Exhibit 'H' also states that Adani Electricity made an attempt to provide the electricity connection, but they were physically prevented from doing so.

4. Considering the letter dated 06 July 2022 at Exhibit 'H', we direct the Senior Police Inspector, Ghatkopar Police Station to provide Adani Electricity police protection so that they will be in a position to grant electricity connection to the petitioner's structure.

5. The petitioner/Adani Electricity, must approach the Senior Police Inspector at Ghatkopar Police Station, and decide on the dates on which such protection would be necessary.

6. The Senior Police Inspector, Ghatkopar Police Station, must provide such police protection subject to usual charges and formalities.

7. There is no document on record stating that the petitioner's application for water connection has been disposed of in the issue of

water supply. However, this Court, by its order dated 22 March 2021 in Writ Petition No. 3522 of 2018, had directed respondent No.1-BMC to proceed with the petitioner's applications and decide them within four weeks. Apparently, there is no decision on those applications.

8. Therefore, the BMC must dispose of the petitioner's applications for water connection within 4 weeks of today. If the BMC decides to grant the petitioner a water connection, then necessary steps should be taken to provide such a connection to the petitioner's structure.

9. The above directions in this petition are without prejudice to the contentions of the petitioner in Writ Petition No. 2003 of 2019, in which the petitioner therein alleged that the structure put up by the present petitioner is illegal and unauthorised. Further, it is made clear that merely if electricity and water supply are granted, there would be no question of claiming any equities.

WRIT PETITION NO. 2003 OF 2019

10. The petitioner herein has filed a complaint dated 27 June 2018 (at Exhibit 'D', pages No. 38 to 40) to the SRA and BMC urging action. To date, no action has been taken.

11. Accordingly, we direct BMC and SRA to dispose of the complaint dated 27 June 2018 after hearing the petitioners in Writ Petition No. 2003 of 2019 and Writ Petition No. 1175 of 2024. The SRA and BMC must determine whether the structure put up is unauthorised and communicate its reasoned decision to the concerned parties by 28 August 2024.

12. If the parties are aggrieved by the decision, they are at liberty to challenge it in accordance with the law.
13. With the above directions, both Writ Petitions are disposed of. There shall be no orders as to the costs.
14. All concerned to act on the authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)