

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2672 OF 2024

Amina Mohammad Ismail Ansari & Ors ...Petitioners
Versus
Slum Rehabilitation Authority & Ors ...Respondents

Mr Tanveer Nizam, with Mariam T Nizam, for the Petitioner.
Mr Jagdish G Aradwad (Reddy), for Respondent No. 1.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 8th July 2024

PC:-

1. Heard learned counsel for the parties.
2. Learned counsel for the Petitioner states the builder/developer have been duly served. He pointed out that the builder/developer have not been responding to any communications from the Petitioner after stopping payment of transit rent from 2014 onwards.
3. Based on the Petitioner's complaint the Slum Rehabilitation Authority ("SRA") issued directions to the builder/developer for

clearing the arrears of transit rent. It appears that the builder/developer is not responding to the MHADA notices as well.

4. By notice dated 3rd November 2022 (Exhibit “K”) at page 136 of the paper book, the SRA had directed the builder/developer to pay the arrears of transit rent within 15 days. However, the builder/developer have chosen to ignore this SRA’s direction.

5. The SRA has also not taken further steps in terms of Circular No. 153 which is relied upon by the Petitioner. Mr Reddy states that further action in terms of the law would be taken against the builder/developer including, inter alia to stop the work on the free sale component and if necessary, to remove the existing developer and appoint a new developer.

6. Considering the fact that Petitioners have not been paid their transit rent for almost a decade, we direct the SRA to take immediate action in terms of the law and Circular No. 153. Such action, must be taken as expeditiously as possible and preferably within four week from today.

7. We list the matter on 9th August 2024 for SRA to report compliance.

(Kamal Khata, J)

(M.S. Sonak, J)