

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2065 OF 2024

Aman Shanti SRA Cooperative Housing Society ...Petitioners
Ltd & Anr
Versus
State of Maharashtra Through Chief Secretary & ...Respondent
Ors

Mr Nitin Thakkar, Senior Advocate, with Chirag Bulsara i/b
Daulat Jehangir, for the Petitioner.
Mr Mayur Khandeparkar, with Anand Pai, Janay Jain, Ishita
Kamath, Yogesh S Naidu, i/b Mhatre Law Associates, for
Respondent No 7.
Mr Prashant Kamble, AGP, for the Respondent-State.
Ms Sweta Shah, i/b AP Kulkarni, with Gaurav Sahane, for the
Respondent-AGRC.
Mr Jagdish G Aradwad (Reddy), with Ashwini Jadhav, for
Respondents Nos 3 & 4-SRA.

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 18th April 2024

PC:-

1. Leave to amend in terms of the draft tendered by Mr Thakkar taken on record and marked “X” for identification with today’s date. Amendment to be carried out by tomorrow, 19th April 2024 without need of reverification. A copy of the amended Petition is to

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be served on all Respondents or their Advocates by Monday, 22nd April 2024. Affidavit in Reply to the amended Petition is to be filed and served by 30th April 2024. In the meantime, there will be an ad interim injunction in terms of prayer clause (f) as regards Exhibit “W” dated 21st March 2024 and the notice dated 4th March 2024.

2. As regards the revised Letter of Intent (“LoI”) dated 2nd April 2024, for the present the Petitioners will be permitted to continue that development on the terms of the revised LoI but subject to the outcome of this Petition. This is necessary because the revised LoI purports to reduce the area available to the Petitioners and gives effect to the impugned order of 21st March 2024. There are several arguments raised by the Petitioners, including a lack of jurisdiction and whether a civil dispute as to title can be countenanced by the Slum Rehabilitation Authority or the Apex Grievance Redressal Committee.

3. This will necessarily be subject to the outcome of the Petition. In other words, if the Petition succeeds the original LoI without reduction and revision will continue to apply. All contentions are kept open.

4. List the matter on 6th May 2024.

(Kamal Khata, J)

(G. S. Patel, J)