IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2804 OF 2024

Arun Lawrance Dsouza …Petitioner

Versus

State of Maharashtra …Respondent

WITH

WRIT PETITION (L) NO. 23636 OF 2024

Mamta Sanjit Jha …Petitioner

Versus

The Apex Grievance Redressal Committee …Respondent

WITH

WRIT PETITION (L) NO. 25350 OF 2024

Rahim Abdul Jalil ...Petitioner

Versus

The Apex Grievance Redressal Committee ...Respondent

WITH

WRIT PETITION (L) NO. 25351 OF 2024

Damodar Anil Poojari ...Petitioner

Versus

The Apex Grievance Redressal Committee ...Respondent

SUMEDH NAMDEO SONAWANE

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Mr Ajaz Ahmed Ansari, *for the Petitioner in Serial No. 2 and for the Respondent No. 5 in Serial No. 903.*
Mr Jagdish G Reddy, *for the Respondent-SRA n all Petitions.*
Mr Anoop Patil, *for the Respondent-AGRC in all Petitions.*
Ms Lavina Kriplani, AGP, *for the Respondent-State.*
Mr Chandrakant P Yadav, *for the Petitioner in Serial No. 903.*
Ms Ravleen Sabharwal, *with Aarushi Yadav, Niyati Gupta, for Respondent Nos. 2 to 3 in WPL/25350/2024.*
Ms Ravleen Sabharwal, *with Aarushi Yadav, Niyati Gupta, for Respondent Nos. 2 to 4 in WPL/23636/2024.*
Ms Ravleen Sabharwal, *with Aarushi Yadav, Niyati Gupta, for Respondent Nos. 2 to 3 in WPL/25351/2024.*

CORAM **M.S. Sonak &**
Kamal Khata, JJ.
DATED: **13th August 2024**

PC:-

1. Heard learned counsel for the Petitioners, SRA and Advocate for the Arun Lawrance Dsouza.

2. The learned advocate for Mr Dsouza states that a reply will be filed and served in these matters within two weeks.

3. In terms of our order dated 27 June 2024 in the Petition filed by Mr Dsouza, we had directed the Slum Rehabilitation Authority ("SRA") to execute the Apex Grievance Redressal Committee's ("AGRC") order dated 21 September 2019 and proceed to evict the Petitioners in this Petitions and certain

others on the ground that the AGRC's order had never being challenged by any of the affected parties.

4. In Writ Petition (L) No. 23636 of 2024, it is pointed out that the Petitioner's occupation had already been regularised by the SRA by order dated 22 April 2024. The Petitioners, in the other two Petitions, pointed out that this Court's order dated 27 June 2024 had specifically granted the Petitioners and other occupants' liberty to take out such proceedings as may be available under the law for challenging the AGRC's report dated 21 September 2019. They submit that they were never made parties before the AGRC, even though the AGRC order directs their eviction. They also solemnly stated that they were unaware of the AGRC order dated 21 September 2019.

5. Considering the above position, at least a prima facie case is made out to direct that the Petitioners in all three Petitions should not be evicted until further orders. We order accordingly.

6. Accordingly, the directions in our order dated 27 June 2024 in Writ Petition No. 2804 of 2024 are presently suspended, and the SRA is directed not to evict the Petitioners until further orders are received.

7. Learned counsel for Mr D'souza states that Mr Dsouza is in the process of challenging the regularisation order dated 22 April 2024.

8. The SRA and other Respondents are also granted liberty to file their replies within two weeks.

9. List these Petitions for further consideration on 5 September 2024.

(Kamal Khata, J) **(M.S. Sonak, J)**

Sumedh