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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3974 OF 2024

Asif Ziauddin Sayed	...Petitioner
<i>Versus</i>	
The State of Maharashtra and ors.	...Respondents

Mr Omar Khaiyam Shaikh, *for the Petitioner.*
Mr Shamsheer Garud, *a/w Ms Dhvani Parekh i/b. Jayakar and Partners, for Respondent No.3.*
Ms Nazia Shaikh, AGP, *for the Respondent-State.*

CORAM **M.S. Sonak &
Kamal Khata, JJ.**
DATED: **22nd August 2024**

PC:-

1. Heard Mr. Shaikh, learned counsel for the Petitioner.
2. Mr. Shaikh states that SRA has been served in this matter. But there is no appearance on behalf of SRA. This is not correct. Once SRA is served, it should appear in the matter through their advocates.
3. The Petitioner complains that for the last 17 years the 3rd Respondent has not completed the redevelopment project and the Petitioner and 179 others are forced to languish in the transit accommodation.

4. Mr. Shaikh stats that the Petitioner had filed complaints to the SRA but the SRA, apart from forwarding the complaints to the 3rd Respondent has not done anything in the matter to either remove the 3rd Respondent and appoint some other developer as is permissible under the SRA Act or expedite the completion of the project.

5. Mr. Shaikh points out that yesterday, copy of this Petition was sought to be served upon the 3rd Respondent, but the Petitioner was made to wait at the 3rd Respondent's site office for two hours and the notice was ultimately not accepted. He points out that they took the officials at the site office of the 3rd Respondent took the photographs of the Petition but declined to give any acknowledgement.

6. Today, Mr. Garud appears on behalf of the 3rd Respondent though, the notice of the Petition was never acknowledged by the 3rd Respondent. According to us, the Petitioner, who go to serve copies, cannot be treated or rather humiliated in this manner. Considering the allegations against the 3rd Respondent that for the last 17 years the redevelopment project is not completed, this was not the behaviour expected of the 3rd Respondent and its officials.

7. Mr. Garud, on instructions apologies on behalf of the 3rd Respondent and also offers to pay an amount of Rs.10,000/- to the Petitioner within a week from today. By accepting this statement and directing the 3rd Respondent to pay this amount to the Petitioner within a week from today, we do not precipitate this matter any further.

8. The SRA and if the 3rd Respondent desirous, the 3rd Respondent must file an affidavit in this matter within two weeks from today i.e. on or before 5th September 2024 after serving advance copies to the learned counsel for the Petitioner.

9. Mr. Shaikh states that he will provide an authenticated copy of our order to the SRA.

10. List the matter on 12th September 2024.

(Kamal Khata, J)

(M.S. Sonak, J)