

Vaibhav

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.73 OF 2024  
IN  
WRIT PETITION NO.1983 OF 2024

Ramkumar Sambhuram Chaurasia & Anr.

...Petitioners

*Versus*

Mahendra Kalyankar,

...Respondents

The Chief Executive Officer,

Slum Rehabilitation Authority, Mumbai & Ors.

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Mr. Vinod Pandey a/w Mr. Ashwin S. Tripathi, for the Petitioners.

Mr. Yogesh Patil i/b Mr. Vijay Patil, for the Respondent Nos.1 & 2 – SRA.

Mr. A. S. Khandeparkar, Senior Advocate a/w Mr. Shrishail Sakhare, for the Respondent No.3.

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CORAM: MADHAV J. JAMDAR, J.

DATED: 25 NOVEMBER 2024

P.C.:

**1.** It is the contention of the Petitioners that the Respondents/Contemnors have not complied with the Order dated 28th March 2024 passed in Writ Petition No.1983 of 2024, (Writ Petition (L) No.23782 of 2023). By said Order dated 28th March 2024, the Respondent No.4 - Developer has been directed to pay the transit rent in respect of the residential and commercial structure. As noted in the Order dated 3rd July 2024, a statement was made that an aggregate amount of Rs.25,00,000/- has been deposited

towards rent of the Petitioners with the SRA.

**2.** It is the submission of the Petitioners that the said amount is deposited with respect to the premises which are the subject matter of the Contempt Petition as well as with respect to one school premises.

**3.** Mr. A.S. Khandeparkar, learned senior Counsel pointed out that, rent of Rs.8,27,126/- and Rs.2,15,622/- has been deposited in the account of the Petitioner No.1 & 2 respectively by the SRA as per calculation of the Developer. The same has been recorded in Order dated 3rd July 2024.

**4.** Mr. Patil learned Counsel for the Respondent No.1 & 2 tenders copy of the Order dated 1st October 2024 passed by the Assistant Registrar, Co-operative Societies, East and West Suburbs, SRA, Mumbai by which rent to which the Petitioners are entitled has been determined. According to the said order the rent to which the Petitioner No.1 is entitled Rs.8,63,231/- and the Petitioner No.2 is entitled for Rs.5,55,156/-. Admittedly as noted in the Order dated 15th July 2024, rent of Rs.8,27,126/- and Rs.2,15,622/- had been deposited in the account of the Petitioner No.1 and Petitioner No.2 respectively, out of amount of Rs. 25,00,000/- deposited by the Developer with SRA.

**5.** Mr. Patil, learned Counsel for the Respondent Nos.1 and 2 –

SRA, on instructions, states that the balance amount in terms of the said Order dated 1st October 2024 will be deposited in the account of the Petitioners within a period of 10 days. Thus, the order of the learned Singe Juge is complied with and nothing survives in the Contempt Petition.

**6.** However, it is clarified that the Petitioners are at liberty to challenge the said Order dated 1st October 2024 or take appropriate steps in case it is the contention of the Petitioners that the Slum Authorities have determined the rent less than the entitlement of the Petitioners. All contentions in that behalf are expressly kept open.

**7.** Accordingly, the Contempt Petition is disposed.

[MADHAV J. JAMDAR, J.]