

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 797 OF 2025**

Shailesh Sudarshan Thatikonda

**... Petitioner**

**Versus**

The Grievances Redressal Committee  
(Mumbai City) and Ors

**... Respondents**

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**Mr. Pandurang Parkar** *for the Petitioner.*

**Ms. Janya Goswami** *for Respondent / SRA / GRC.*

**Mr. S. S. Redekar** *a/w Ms. Mohini D. Thorat for Respondent No.5.*

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**CORAM : SANDEEP V. MARNE, J.**

**DATE : 20 JANUARY 2025.**

**P.C.:**

1) It appears that the Petitioner preferred Appeal before the Additional Collector against a mere show cause notice issued to him under provisions of Section 3(E) of the Maharashtra Slum Area (Improvement, Clearance, Redevelopment) Act, 1971. Even before the said notice could be adjudicated, he preferred Appeal before the Additional Collector, which came to be rejected on 7 November 2023, Petitioner thereafter carried the matter before Grievance Redressal Committee (**GRC**) by filing Appeal No. 160 of 2023. During pendency of the Appeal before the GRC, it appears that the show cause notice was adjudicated by passing order dated 20 November 2023, by making the notice under Section 3(E) absolute and directing the Petitioner to vacate possession of the premises. Accordingly, the GRC has disposed of Appeal No. 160 of 2023 holding

that the Petitioner ought to have participated in the proceedings before the Competent Authority by defending the notice under Section 3(E) of the Act rather than filing Appeal before the Additional Collector merely against the show cause notice.

2) Thus, there is no adjudication of the merits of the matter at least before the GRC. Petitioner ought to have filed Appeal before the Additional Collector against order dated 20 November 2023 by withdrawing Appeal No. 160 of 2023 filed before the GRC. It appears that in pursuance of order dated 20 November 2023, possession of the premises have already been secured from the Petitioner and the premises have been sealed.

3) At this stage, the learned counsel appearing for the Petitioner would seek liberty to challenge order dated 20 November 2023 before the Appellate Authority.

4) The Writ Petition is accordingly disposed of by granting liberty to the Petitioner to file Appeal before the Appellate Authority challenging order dated 20 November 2023. The Appeal shall be decided on its own merits, without being influenced by findings recorded in the orders dated 7 November 2023 and 11 November 2024. Time spent in prosecuting the present Petition shall be considered by the Appellate Authority while considering condonation of delay in filing the Appeal.

**[SANDEEP V. MARNE, J.]**