

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12382 OF 2024

Prabhavati Pramod Borade LHR And Lr Of Pramod ...Petitioner
Genu Borade (Since Decd)

Versus

Additional Collector (Enc/Rem) And Appellate ...Respondents
Authority , Eastern Suburbs And Ors.

AND
WRIT PETITION NO. 12416 OF 2024

Vinod Genu Borade ...Petitioner

Versus

Additional Collector (Enc/Rem) And Appellate ...Respondents
Authority , Eastern Suburbs And Ors.

Mr. Anand Pai, i/b Pradeep Gaikwad, for the Petitioner in WP/12382/24.

Ms. Tanaya Goswami (through VC), for Respondent Nos.2 & 5/SRA & GRC,

Mr. Shyam Singh, i/b Rushikesh Kekane, for Respondent No.3 in WP/12382/24 & WP/12416/24.

Mr. Aniesh Jadhav, i/b Pradeep Gaikwad, for Petitioner in WP/12416/24.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 14, 2025

ORDER :

1. Rule is made returnable forthwith. By consent of the parties taken up for final hearing and disposal.

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2. Both the captioned Petitions essentially challenge the orders passed by the Grievance Redressal Committee (“**GRC**”) under Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (“***the Slums Act***”) essentially dealing with the grievances raised by the respective Petitioners. The contention of the Petitioners is that despite the Petitioners having been found eligible for rehabilitation and being entitled to the same size of the area that ought to be provided to them, and their entitlement being recorded and established in the Annexure-II dated June 12, 2018, pursuant to a specific verification ordered by the Collector by an order dated January 12, 2017, the entitlement of the Petitioners surely stands established.

3. The Petitioners would also contend that initially Respondent No.3, the Society, had resisted the Petitioner’s request for rehabilitation and their entitlements, but Respondent No.3 has fallen in line after tge reverification was directed, and the only party having a grievance which had led to the GRC being approached, now having no grievance whatsoever with the Petitioners getting their entitlements, the Petitions deserve to be allowed.

4. A plain reading of the impugned order would indicate that the GRC examined the issue and the fact that the Society too has fallen in line with the request of the Petitioner has been noticed. The

Respondent No.4, the Developer who is also a party to the proceedings before the GRC would submit that the rehabilitation component available to the Petitioners is not meant to cover the component of the slum area occupied by them which was over a Non Agricultural Land Assessment (**NALA**) which is the Collector's land.

5. Learned Advocates for the Petitioners submit that considering that the area to be given in rehabilitation would not be affected by the size of what was occupied by them earlier, this facet of the matter too does not need to detain any further attention. Since the grievance itself stands worked out with the Society and the Petitioners having no dispute left, it would be appropriate to allow the Petitions, declaring that the Petitioners would be eligible in terms of the Annexure-II declaring them to be eligible for the rehabilitation.

6. Both the captioned Petitions are ***finally disposed of*** in the aforesaid terms.

7. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]