

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

WRIT PETITION NO.18995 OF 2024

Mahadeo Laxman Bhuyal and ors. ... Petitioners

V/s.

The State of Maharashtra and ors. ... Respondents

**WITH
INTERIM APPLICATION NO.1146 OF 2025
IN
WRIT PETITION NO.18995 OF 2024
WITH
WRIT PETITION (ST.) NO.615 OF 2025
WITH
WRIT PETITION NO.755 OF 2025
WITH
WRIT PETITION NO.756 OF 2025
WITH
WRIT PETITION (ST.) NO.36613 OF 2024
WITH
WRIT PETITION (ST.) NO.36614 OF 2024
WITH
WRIT PETITION (ST.) NO.36615 OF 2024
WITH
WRIT PETITION (ST.) NO.36616 OF 2024
WITH
WRIT PETITION (ST.) NO.36617 OF 2024
AND
WRIT PETITION (ST.) NO.36618 OF 2024**

Mr. S. R. Nargolkar with Mr. Ashish A. Chavan i/by Mr. Abhijit Bapusaheb Kadam, Advocates for the Petitioners in WP No.18995 of 2024 and WPs (St.) No.36615 of 2024, 36616 of 2024, 36618 of 2024, 36614 of 2024, 36613 of 2024, 36617 of 2024 and 615 of 2025.

Mr. Rajendra V. Kamble, Advocate for the Petitioner in WPs No.755 of 2025 and 756 of 2025.

Ms. Dhruvi Kapadia, AGP for the State.

Ms. Uma Palsuledesai i/by Ms. Suman Prasad, Advocates for the Respondents No.3 to 5.

Mr. Vijay D. Patil, Senior Advocate i/by Mr. Yogesh Patil, Advocates for the Respondent No.2/AGRC.

Mr. Vineet Naik, Senior Advocate i/by Ms. Sumanth Anchan, Advocates for the Respondent No.6.

Ms. Prachi Mulje, Advocate for the Intervenor in the Interim Application.

CORAM : SANDEEP V. MARNE, J.

Dated : 24 February, 2025.

P.C. :

1. The challenge in Writ Petition (St.) No.615 of 2025 is to the order passed by the Apex Grievance Redressal Committee (**AGRC**) on 13th December, 2024 vacating the stay granted in favour of Petitioners therein on 27th September, 2024. The Appeal No.57 of 2024 in which the stay has been vacated by order dated 13th December, 2024 apparently is heard by AGRC on 23rd January, 2025 and the order is reserved.

2. In rest of the petitions, orders passed by the AGRC upholding the order passed under provisions of Sections 33 and 38 of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (**Slum Act**) are under challenge.

3. Mr. Nargolkar, learned counsel appearing for some of the Petitioners would submit that in Appeal No.57 of 2024, the Appellants therein have challenged the Letter of Intent issued in favour of Developer *inter-alia* on the ground that the same is issued in respect of the land of which the Appellants therein are owners/ allottees. He would therefore submit that the AGRC is expected to rule on the issue as to whether the Appellants before it are owners/ allottees of the land in question and whether the Developer has right to develop the said land. He would submit that till the appeal is heard and decided, the orders passed under provisions of Sections 33 and 38 of the Slum Act cannot be implemented. By interim orders passed by this Court on 15th January, 2025, the structures occupied by the Petitioners and by other similarly placed occupiers have already been surveyed by the Competent Authority and the survey report has been placed on record.

4. Since Petitioners expect that the AGRC is likely to decide the issue of valid allotment of the land in favour of the Appellants before it, it is appropriate that the AGRC pronounces its order in Appeal No.57 of 2024 in an expeditious manner so that hearing of the petitions can proceed further. It appears that on account of pendency of the present petitions, the Developer is unable to carry forward implementation of the Slum Scheme despite demolition of 2254 structures out of 2321 structures. Structures of 68/70 occupiers are holding up the entire project. In that view of the matter, this Court is adopting an unusual mode by requesting the AGRC to pronounce its order in Appeal No.57 of 2024 in an expeditious manner.

5. The AGRC is accordingly requested to pronounce the order reserved on 23rd January, 2025 in Appeal No.57 of 2024 on or before 15th March, 2025.
6. List the petitions for further consideration on 18th March, 2025 under caption "For Circulation".

(SANDEEP V. MARNE, J.)