

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8220 OF 2025

Mr. Surendra Krishnaji Dabholkar

...Petitioner

Vs.

Mumbai Metropolitan Region Slum
Rehabilitation Authority & Ors.

...Respondents

Mr. Madhur Surana for the Petitioner.

Mr. Abhijeet Kulkarni a/w Gourav V. Shahane a/w Shreyas R. Zarkar for
Respondent Nos.1 and 2.

Mr. Shreeyash Lalit a/w Shweta R. Rathod i/by Elixir Legal Services for
Respondent No.4.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.
DATE: 08 JULY 2025.

P.C.

1. We have heard learned Counsel for the parties.

2. The substantive prayer pressed in this Petition is prayer clause (b) which
reads thus:

“b) In the alternative, this Honourable Court, in its Jurisdiction under Article
226 of Constitution of India, be pleased to issue the direction and/or order
to the Respondent No.1 and 2 to hear and decide the Petitioner’s
Representation dated 07/03/2025 as early as possible and within the
stipulated time;”

3. The case of the Petitioner is that the Petitioner is the owner of the land in
question, which is declared to be slum rehabilitation area. The Petitioner also
contends that without following the due procedure in law, the said land was
sought to be acquired by issuing notice under Section 14(1) of the Maharashtra
Slum Area (Improvements, Clearance and Redevelopments) Act, 1971.

4. It appears to be not in dispute that such order was challenged by the Petitioner before the Apex Grievance Redressal Committee and the said order is itself has been stayed. It also appears that in the meantime Respondent No.4, who is appointed as a developer by Respondent No.3-Society, intends to proceed with the redevelopment and it is in this context the Petitioner has approached this Court by way of this Petition to seek a relief that the representation in this regard that Respondent Nos.3 and 4 did not have any legal rights to submit any plans and/or proposal for redevelopment and such representation would be required to be considered by Respondent No.2-Chief Executive Officer.

5. We are of the opinion that in the facts and circumstances of the present case, the representation made by the Petitioner needs to be considered and more particularly in view of the fact that the acquisition itself has been stayed by the Apex Grievance Redressal Committee. If that be so, the rights of the Petitioner in respect of his own land to undertake development certainly were required to be recognised so as to recognise any rights of Respondent Nos.3 and 4.

6. In these circumstances, we direct Respondent No.2-Chief Executive Officer to consider the Petitioner's representation dated 7th March 2025 and after granting an opportunity to hear the Petitioner as also to Respondent No.3, pass appropriate orders in accordance with law.

7. All contentions in that regard are expressly kept open.

8. Till such representation is decided, we direct that proposal from Respondent Nos.3 and 4 shall not be processed by Respondent No.2.

9. The Petition is disposed of in the aforesaid terms keeping open all contentions in any pending proceeding or the subject matter of representation.

10. At this stage, Learned Counsel for Respondent No.4 stated that the SRA has already informed his client that the proposal is not being processed. If that be so, appropriate decision be taken by Respondent No.2-Chief Executive Officer.

11. Disposed of in the aforesaid terms. No costs.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)