

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12012 OF 2025

Masjid And Madarasa Dawoodullam ... Petitioner
Jaiyan Aaalauddin Reg Name Jamiat
Ahle Hadis Trust Throu. President

V/s.

The State Of Maharashtra ... Respondents
Through Govt Pleader And Ors

Mr. Suresh Sabrad with Amey Sawant, Pratik Sabrad, Neha Parte and
Eshwaree Kudalkar, for the petitioner.

Mr. Abhishek Bhadang, AGP, for the State.

Ms. Priyanka Bhadrashete, for the respondent nos. 2 and 3.

Ms. Sneha D. with Anil Mishra, for the respondent no. 4.

Ms. Aarushi Yadav I.by Ravleen Sabharwal, for respondent no. 6-AGRC

Mr. Santosh Sitap, for the respondent no. 7.

CORAM : N.J. JAMADAR, J.

DATE : 6TH OCTOBER 2025.

PC:

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order dated 28th February 2024 passed by the Apex Grievance Redressal Committee, whereby the challenge of the applicant to an order passed by the Competent Authority under Sections 33 and 38 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, came to be

dismissed by affirming the order dated 12th January 2023.

3. Evidently, the eligibility of the petitioner came to be determined in the year 2011. Annexure-II prepared on 21st February 2011 indicates that the petitioner was declared ineligible, as the petitioner had not submitted any documents to substantiate its claim.

4. Mr. Sabrad, the learned counsel for the petitioner, submits that at that stage the petitioner had not submitted the documents as there was a dispute between the persons who laid proprietary claim over the subject property.

5. Mr. Bhadang, the learned AGP, is justified in canvassing a submission that the order of eviction is an essential consequence of the declaration of the petitioner as ineligible. The petitioner will have to work out its remedies by challenging the order declaring the petitioner as ineligible.

6. The petition thus stands disposed with liberty to the petitioner to work out its remedies by challenging the order declaring the petitioner ineligible.

7. The petitioner is at liberty to raise all contentions which are available in law.

8. In the event such proceeding is instituted, within a period of one week, the Competent Authority shall decide the same as expeditiously as possible.

(N.J. JAMADAR, J)