

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.12131 OF 2025
IN
WRIT PETITION NO.1563 OF 2023

M/s. Anantaya Buildcon LLP .. Applicant
IN THE MATTER BETWEEN:
Rajesh Tarsi Kuvriya Legal heir of deceased Tarsi
Voka Kuvirya .. Petitioner
Versus
Apex Grievance Redressal Committee and Ors. Respondents

WITH
INTERIM APPLICATION NO.12129 OF 2025
WITH
INTERIM APPLICATION NO.12128 OF 2025
WITH
INTERIM APPLICATION NO.12130 OF 2025
WITH
INTERIM APPLICATION NO.12132 OF 2025

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- Mr. Amogh Singh a/w. Mr. Santosh Pathak and Mr. Nimish Lotlikar, Advocates i/by Law Origin in all Interim Applications.
 - Mr. Rajkumar Jaiswal. Advocate for Petitioners.
 - Mr. Jagdish G. Aradwar (Reddy), Advocate for Respondent No.1.
 - Mr. Santosh Gaikwad, Site Incharge.
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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2025

P.C.:

- 1.** Heard learned Advocate appearing for the parties.
- 2.** This is a group of five Writ Petitions. Intervention is filed by Developer. All five Writ Petitions can be disposed by passing the following order.

3. One of the submission of Developer is that two of five Petitioners are not eligible. However, their eligibility will be decided by Slum Rehabilitation Authority (for short '**SRA**'). With respect to their eligibility, Petitioners can file their appropriate Application seeking eligibility before SRA and if any such Application is filed, the same shall be decided within a period of six weeks from today. If Application is already filed by them, Petitioners are permitted to add any additional documents to them and file the same before SRA within a period of two weeks from today. SRA shall give them a hearing within a period of six weeks and pass speaking order. The two non eligible persons are Vinod Kuvriya and Rajesh Kuvriya.

4. In so far three eligible Petitioners are concerned they are Shankarlal Pragaji Prajapati, Mr. Aruna Mallesh Vailal and Parshuram Vallappa Gollar. Both learned Advocates before me including Advocate for Developer confirm the aforesaid position.

5. Today the learned Advocate for Developer has identified the alternate commercial premises to be given to all five Petitioners. Needless to state that the alternate premises to be given to two ineligible Petitioners will be subject to their eligibility only and not otherwise. However, the Developer will not create third party rights in the said premises until their eligibility is decided either by the SRA or by Appellate Authority or by this Court, if so required.

6. For the sake of convenience, the provisions of commercial rehab alternate premises which has been decided by the Developer to be given to the five Petitioners before me is stated in the chart. Said chart is taken on record and marked 'X' for identification by this Court. The said chart is scanned and reproduced below:-

"X" *13/X/2025*

Parshuram Vallappa Gollar
Vs
AGRC and Ors

....Petitioner
....Respondents

AND

I.A. (L) No. 26238 of 2025
IN
W.P. (St) No. 1563 of 2023

Anantaya Buildcon LLP
In the matter between:
Rajesh Tarsi Kuvriya
Vs
AGRC and Ors

....Applicants
....Petitioner
....Respondents

PROVISIONS OF COMMERCIAL REHAB MADE BY THE APPLICANT FOR ALL FIVE PETITIONERS IN THE ABOVE RESPECTIVE PETITIONS:

Sr.No.	Annexure No.	Name	Provision in Rehab
1)	F/4 – Eligible	Shankarlal Pragaji Prajapati	Gala No. 12, Ground Floor
2)	F/13 – Eligible	Aruna Mallesh Vailal	Gala No.26, Ground Floor
3)	F/11 – Not Eligible	Vinod Tarsi Kuvriya	Gala No.104, 1 st Floor.
4)	C/1 – Not Eligible	Parshuram Vallappa Gollar	Provision has been made in Rehab <i>Gala No: 28 or 29</i>
5)	A/4 – Not Eligible	Rajesh Tarsi Kuvriya	Gala No. 229, 2 nd Floor

7. Mr. Jaiswal represents five Petitioners before me. He has understood the context of the above order. Petitioners are directed by this Court to go and confirm the existence of the rehab commercial premises as stated hereinabove. The Developer who is Intervenor shall keep an officer representing the Developer present at 11:00 a.m. tomorrow i.e. on 14.10.2025 at the site.

8. I am informed that Mr. Hari Parmar or any other Officer in his place shall remain present. Developer shall ensure that Gala No.12, Ground Floor; Gala No.26, Ground Floor; Gala No.104, First Floor; Gala No.28 or 29, Ground Floor and Gala No.229, Second Floor shall be specifically identified and shown in vacant condition to the Petitioners before me. Petitioners shall confirm the same and once they find that the said Galas are available and vacant, they shall inform the position to the Court on Wednesday morning. Once the said position is informed to the Court, parties will be directed to file appropriate Consent Terms or an order of the Court shall be passed on 15.10.2025.

9. Needless to state that once the Petitioners confirm the above and new Developer confirms availability of these five alternate rehab commercial component premises, appropriate directions will be passed for executing the PAAA within a time bound programme for the eligible persons and in so far the ineligible persons are concerned, it

will be subject to the outcome of their case. Once these directions are passed, the Petitioners will be directed to vacate and give and take possession simultaneously so that the building which is ready can be given the Occupation Certificate so that the other allottees are not inconvenienced.

10. Stand over to **15th October, 2025**. To be placed under the caption '**First on Board**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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2025.10.13
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