

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1843 OF 2024

Kantilal Mansukh Solanki
Versus
State Of Maharashtra & Ors.

...Petitioner
...Respondents

Mr. Rajesh Khobragade a/w. Mr. Akash Tayde a/w. Mr. Pushkar Verma,
for the Petitioner.

Ms. Lavina Kriplani, AGP for Respondent – State.

Mr. Yogesh Vijay Patil i/b. Mr. Abhijit M. Patil for Respondent No.2/SRA.

Mr. Shakeeb Shaikh a/w. Ms. Huda Diamondwala i/b. Diamondwala & Co., for
Respondent No.6.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 18th September 2025

P.C.

1. This Petition is filed by three slum dwellers in respect of a slum which was initially being developed by Respondent No.6 Omkar Realtors & Developers Pvt. Ltd. The reliefs as prayed for in the Petition are required to be noted, which read thus:

“a) Rule be issued.

(b) That, the Hon'ble Court be please to issue Writ of Mandamus and/or any other Writ as per nature and circumstance, and direct Respondent No.2 TO 5 To provide permanent alternate accommodation to the members of Bhim Nagar CHS Ltd, who are left to live and suffer in inhumane and unhygienic condition.

(c) That, the Hon'ble Court be please to issue Writ of Mandamus and/or any other Writ as per nature and

circumstance, and direct Respondent No.6 to construct Rehab building on the adjacent SRA Society namely Mahatoshri CHS Ltd. (SRA Society) and shift the Tenants of the Bhim Nagar CHS Ltd.

d) That, the Hon'ble Court be please to issue Writ of Mandamus and/or any other Writ as per nature and circumstance, and direct Respondent No.6 the developer to construct rehab building for the Bhim Nagar CHS members.

In alternate to above:

d) That this authority be pleased to cancel, terminate, revoke Annexure-I, II, LOI and IOD and any other permissions in the favour of the Respondent No.6 M/s. Omkar Realtor and Developer Pvt. Ltd. in the respect of M/s. Bhim Nagar CHS Ltd. SRA Scheme in respect of CS no.155(pt), 174(pt), 177(pt), 1/177(pt) and 185 of Village Parel Sewree Division, Parale Bhoiwada, Mumbai - 400 012. And terminate the appointment of developer in respect to the said SRA Scheme.

e) To terminate the appointment of developer in respect to the said SRA Scheme.

(d) The Honourable Court may be pleased, to pass any such other order as this Hon'ble Court deems fit..

(e) The Honourable Court may be pleased, to confer any such other reliefs as necessary in the circumstances.”

2. We are informed that M/s. Omkar Realtors & Developers Pvt. Ltd. could not carry the project forward. As informed to the Court, the project involves as of now more than three societies and concerns about 4000 slum dwellers. By an order dated 29th April 2024, passed by the Chief Executive Officer, Slum Rehabilitation Authority LOI granted in favour of M/s. Omkar Realtors & Developers Pvt. Ltd. was terminated. We are also informed that now M/s. Alpertan

Developers has been pointed as a Developer to undertake the slum rehabilitation scheme. Accordingly, LOI dated 14th August 2025 has been issued in favour of M/s. Alperton Developers. If that be the case and that the Petitioners are already 3 members of the Bim Nagar Co-op. Housing Society, (which is registered), the Petitioners would be required to be heard along with the other slum dwellers and would be entitled to all the benefits which have been offered to the other slum dwellers and now by the new Developer appointed namely, M/s. Alperton Developer.

3. Accordingly keeping all contentions of the Petitioners to seek appropriate benefits under the scheme if they are so eligible, we dispose of the Petition. Needless to observe that all contentions not only on the Permanent Alternate Accommodation to which the Petitioners are eligible but also in respect of the claim which the Petitioners intend to make as is permissible in law in regard to the transit rent is expressly kept open.

4. The Petition stand disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)