LAXMI SUBHASH SONTAKKE

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

WRIT PETITION NO. 3140 OF 2019

Om Shri Sai Sra Co-operative Housing Society ...Petitioner
Versus
State Of Maharashtra And 2 Ors. ...Respondents

AND
WRIT PETITION NO. 2281 OF 2021
WITH
INTERIM APPLICATION NO. 1275 OF 2023
IN
WRIT PETITION NO. 2281 OF 2021

Govind Dhondu Nakati And 74 Ors ...Petitioner
Versus
State Of Maharashtra And 8 Ors. ...Respondents

AND
WRIT PETITION NO. 7145 OF 2022

Chanmukha Hanumanta Beldor ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 7146 OF 2022

Smt. Indira Punnaswam Devendra ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 7147 OF 2022

Smt. Pinki Kanaidas Gupta ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 7148 OF 2022

Nathuram Hari Patil ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

Laxmi
This order is modified as per speaking to the minutes of the orders dated 8th January 2026 .
This order is modified as per speaking to the minutes of the orders dated 22nd April 2026.

WITH
WRIT PETITION NO. 1319 OF 2024

Smt. Chaya Dadaso Khabale ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1313 OF 2024

Nandkishor Ganpat Kamble ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1317 OF 2024

Yogesh Ramchandra Gokhale ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1312 OF 2024

Tapon Madhai Naskar ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1311 OF 2024

Manoj Kumarnalamuthi Devendra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1309 OF 2024

Smt. Sangita Ganesh Pawar ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1315 OF 2024

Smt. Sarejini Vishwanath Kotian ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

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WITH
WRIT PETITION NO. 1310 OF 2024

Ganesh Sitaram Kamble ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1308 OF 2024

Raja Kallyapillai ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1318 OF 2024

Laxmi Kashinath Chinnakan ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1307 OF 2024

Dinesh Baburao Avhad ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1314 OF 2024

Smt. Manjula Thangavel Devedra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1316 OF 2024

Smt. Umamaheshwari Selvan Devendra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

AND
WRIT PETITION NO. 1534 OF 2024

Rajendra Balkrishna Chavan ...Petitioner
Versus
The State Of Maharashtra By The Government Pleader ...Respondents

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WITH
INTERIM APPLICATION (L) NO. 27456 OF 2025
IN
WRIT PETITION NO. 1534 OF 2024
AND
WRIT PETITION NO. 2072 OF 2024

Suresh Rakhmaji Gaikwad (since Deceased Through His Wife)
Nirmala Suresh Gaikwad ...Petitioner
Versus
The Secretary Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION NO. 2556 OF 2024

Shambhunath Shivram Pandey And 9 Ors. ...Petitioner
Versus
The Chief Executive Officer Sra And 4 Ors. ...Respondents

WITH
INTERIM APPLICATION (L) NO. 17188 OF 2025
IN
WRIT PETITION NO. 2556 OF 2024
AND
WRIT PETITION (L) NO. 15581 OF 2024

Mohammed Saurabh Choudhari ...Petitioner
Versus
The Chief Executive Officer Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (L) NO. 15786 OF 2024

Dilip Shankar Thombre ...Petitioner
Versus
State Of Maharashtra Th. The Chief Secretary ...Respondents

AND
WRIT PETITION (L) NO. 24795 OF 2024

Anjali Arvind Parab ...Petitioner
Versus
The Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION NO. 2229 OF 2025

Ganesh Vasant Lad And Ors ...Petitioners
Versus
Slum Rehabilitation Authority And Ors ...Respondents

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AND

WRIT PETITION NO. 2518 OF 2025

Deviben Hargovind Vishnagra ...Petitioner
Versus
The State Of Maharashtra To Serve Thr.
The Government Pleader ...Respondents

AND

WRIT PETITION NO. 2706 OF 2025

Vilas Dhondu Chavan ...Petitioner
Versus
State Of Maharashtra Through The Office Of Government Pleader,
Original Side Writ Cell ...Respondents

AND

WRIT PETITION NO. 2975 OF 2025

Mulund Ashirwad Sra Co Operative Housing Society Ltd. ...Petitioner
Versus
The State Of Maharashtra ...Respondents

AND

WRIT PETITION NO. 3014 OF 2025

Ramesh Narsayya Sallagari ...Petitioner
Versus
Asst. Registrar Of Co-op. Societies (Mumbai City)
Slum Rehabilitation Authority ...Respondents

AND

WRIT PETITION NO. 3088 OF 2025

Manikam Palanivel Devendra ...Petitioner
Versus
The State Of Maharashtra
Through Its Secretary, Housing Dept. ...Respondents

AND

WRIT PETITION NO. 3459 OF 2025

Shivalik Ventures Private Limited ...Petitioner
Versus
Slum Rehabilitation Authority And Ors. ...Respondents

AND

WRIT PETITION (ST) NO. 3738 OF 2025

Ashruba Shripati Bansode ...Petitioner
Versus
Spenta Enclave Pvt. Ltd ...Respondents

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AND
WRIT PETITION NO. 4193 OF 2025

Malti Kailash Singh ...Petitioner
Versus
Royal Relators ...Respondents

AND
WRIT PETITION NO. 4243 OF 2025

Bharat Sahadev Gaude ...Petitioner
Versus
State Of Maharashtra ...Respondents

AND
WRIT PETITION NO. 4355 OF 2025

Kesra Devi Somnath Gupta ...Petitioner
Versus
The State Of Maharashtra ...Respondents

AND
WRIT PETITION (ST) NO. 21472 OF 2025

Brijanandan Bicchan Sharma ...Petitioner
Versus
The State Of Maharashtra Government Pleader ...Respondents

WITH
INTERIM APPLICATION (L) NO. 24536 OF 2025
IN
WRIT PETITION (ST) NO. 21472 OF 2025

AND
WRIT PETITION (ST) NO. 39942 OF 2025

Mohammed Maruf Khan Sajid Khan ...Petitioner
Versus
Slum Rehabilitation Authority
Through Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 40687 OF 2025

Sainath Prakash Zoting ...Petitioner
Versus
Slum Rehabilitation Authority Thru.
The Chief Executive Officer ...Respondents

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AND
WRIT PETITION (ST) NO. 40783 OF 2025

Khan Jamil Sheralli ...Petitioner
Versus
The Chief Executive Officer, Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (ST) NO. 40792 OF 2025

Shabana Zubair Naik ...Petitioner
Versus
The Chief Executive Officer Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (ST) NO. 40803 OF 2025

Anilkumar Bharat Jaiswal ...Petitioner
Versus
Slum Rehabilitation Authority,
Through Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 40827 OF 2025

Shivshankar Babulal Rajbhar, Through His
C.a. Amar Rambharat Yadav ...Petitioner
Versus
Slum Rehabilitation Authority ,
Through Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 40828 OF 2025

Dhanauti Matadin Gupta, Thorugh Her
C.a. Meera M. Yadav ...Petitioner
Versus
Slum Rehabilitation Authority,
Through Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 40831 OF 2025

Shantabai Dashrath Ghanate ...Petitioner
Versus
Slum Rehabilitation Authority
Through Its Chief Executive Officer ...Respondents

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AND

WRIT PETITION (ST) NO. 40833 OF 2025

Anita Rajesh Tiwari, Through Her
C.a And Husband Rajesh Chandradev Tiwari ...Petitioner
Versus
Slum Rehabilitation Authority,
Through Its Chief Executive Officer ...Respondents

AND

WRIT PETITION (ST) NO. 40868 OF 2025

Yamuna Suresh Kushalkar ...Petitioner
Versus
The Assistant Registrar Of Co-operative
Societies, Mumbai City (sra) ...Respondents

AND

WRIT PETITION (ST) NO. 40886 OF 2025

Sarmalkar Satyavijay ...Petitioner
Versus
State Of Maharashtra ...Respondents

AND

WRIT PETITION (ST) NO. 41091 OF 2025

Jaya Laxminarayan Gundlapelly ...Petitioner
Versus
The Municipal Corporation Of Greater Mumbai ...Respondents

AND

WRIT PETITION NO. 154 OF 2025

Sardar Bokalchand Saini ...Petitioner
Versus
Chief Executive Officer Sra ...Respondents

AND

WRIT PETITION NO. 466 OF 2025

Murugan Chinnamuthu Devendra ...Petitioner
Versus
Assistant Registrar Of Co Operative Societies Mumbai City,
Slum Rehabilitation Authority ...Respondents

AND

WRIT PETITION NO. 996 OF 2025

Manohar B Pillai ...Petitioner
Versus
Chief Executive Officer Sra ...Respondents

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AND
WRIT PETITION NO. 1081 OF 2025

Kamladevi Kanhairam Vishwakarma ...Petitioner
Versus
Chief Executive Officer, Slum Rehabilitation Authority ...Respondents

INTERIM APPLICATION (L) NO. 14487 OF 2025
IN
WRIT PETITION NO. 1081 OF 2025
WITH
WRIT PETITION NO. 1086 OF 2025

Kamladevi Kanhairam Vishwakarma ...Petitioner
Versus
Chief Executive Officer, Sra ...Respondents

AND
WRIT PETITION (ST) NO. 9462 OF 2025

Sunil Kumar Dhuria ...Petitioner
Versus
Chief Executive Offcer Sra ...Respondents

AND
WRIT PETITION (ST) NO. 24127 OF 2025

Shree Mahakali Tenements Sra Co-Operative
Housing Society Ltd. ...Petitioner
Versus
Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION (ST) NO. 32432 OF 2025

Chandankumar Majumdar ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 37240 OF 2025

Mithun Chandankumar Majumdar ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

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AND
WRIT PETITION NO. 697 OF 2025

Loveji Dhanji Waghela ...Petitioner
Versus
The Chief Executive Officer,
Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (L) NO. 40923 OF 2025

Amreen Abdullah Sharif ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

Writ Petition No. 3140 OF 2019:
Mr. D.V. Saroj for Petitioner.
Mr. Jagdish G. Aradwad (Reddy) for Respdt No. 2 & 3 (SRA)
Mr. S.B. Gore, AGP for State of Maharashtra

Writ Petition No.2281 of 21 and IA 1275/23 :
Mr. Yatin R Shah a/w Mr. Harsh Y Shah for Petitioners.
Mr. Anoop Patil, for Respdt. No. 4 & 5, SRA in WP
Ms. Anjali Ghuge i/b Mrs. Komal Punjabi for Respondent (BMC/ MCGM)
Ms. Vaishali Choudhari, Addl. GP for State of Maharashtra.
Mr. Shailesh V. More i/b Adv. I.M. Khairali for Petitioner in Contempt Petition No. 48/2021 in WP/2485/2018.
Ms. Sneha Mahawar a/w Mr. Yash Sheth i/b Tushar Goradia for Respdt No. 8.

Writ Petition No. 7145 of 22 & other connected matters:
Mr. Ashish Dubey a/w Adv Ajay Dube & Adv. Vishal Sheth for Petitioners.
Smt. P.J. Gavhane, AGP a/w Dr. Dhruti Kapadia AGP for State
Mr. Abhijit P. Kulkarni, i/b Abhishek Roy for SRA.
Mr. Mayur Khandeparkar, Adv Vikramjeet Garewal, Adv. Mustaqueen Bagasaria, Adv. Bhavin Batwa i/b Wadia Ghandy & Co. For Respdt. No. 4.

Writ Petition No. 1534 of 2024
Mr. Yogesh Patil i/b Mr. Abhijit M. Patil, for Respdt. No. 2 SRA
Mr. Suraj Gupte, AGP for State of Maharashtra.
Mr.Omar Khaiyam Shaikh a/w Sahil Salvi & Manohar Shelar i/b Vikas Salvi &

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Associates for the Petitioner

Writ Petition No. 2072 of 2024:

Mr. Nitin Gaware Patil a/w Mr. Divyesh Jain and Ms. Isha Palav for Petitioners.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms. Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition No. 2556 of 2024 & Interim Application (L) No. 17188 of 2025

None for the Petitioner

Mr. Girish Utangale a/w. Mr. Saurabh Utangale i/b Utangale & Co. For Respdt No. 1 to 3.

Adv. Hamza Lakhani with Prathamesh Bhosale i/b India Law Alliance for Applicant/ Intervenor

Mr. Shardul Singh a/w. Ms. Prerna Gandhi & Priyal Gandhi, for Respdt No. 5.

Ms. Ravleen Sabharwal a/w. Ms. Aarushi Yadav for Respdt SRA.

Writ Petition (L) No. 15581 of 2024:

Mr. Nitin Gaware Patil a/w. Mr. Divyesh Jain and Ms. Isha Palav for Petitioners.

Mr. Makarand Kale i/b Mr. Yogesh Sankpal aw Mr. Sameer Khedekar for Respdt. No. 6.

Mrs. Manisha Gawde, AGP for State of Maharashtra.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms.Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (L) No. 15786 of 2024

Mr. Shaikh Abdul Azim M. Hanif for Petitioner.

Ms. Poonam Mital, AGP for State of Maharashtra.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms.Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (L) No. 24795 of 2024:

Mr. Nitin Gaware Patil a/w. Mr. Divyesh Jain and Ms. Isha Palav for Petitioners.
Mr. Makarand Kale i/b Mr. Yogesh Sankpal aw Mr. Sameer Khedekar for Respdt. No. 6.
Ms. Nazia Shaikh, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms.Sandhya Bawankule, Assistant Registrar, SRA present.
Mr. Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition No. 154 of 2025:
Ms. Jennifer Sagayarajan for the Petitioner.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms.Sandhya Bawankule, Assistant Registrar, SRA present.
Mr. Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition No. 466 of 2025 :
Mr. Shakil Ahmed a/w Ms. Misha Shaneali a/w. Ms. Babita Kesharwani for Petitioner.
Mr. Anoop Patil for Respdt. No. 1 & 2/ SRA
Mr. Arun Panickar i/b. Mr. Milind Nar for Respdt No. 3.

WRIT PETITION NO. 697 OF 2025:
Ms.Madhura Gavi i/b Manish Bijutkar for Petitioners.
Ms. Rama Subramaniam for Res. No. 3 (VC)
Dr. Dhruti Kapadia a/w Ms.Kavita Dhanuka for SRA
Mr. Nishant Chotani a/w Vipul Patel for Respdt No. 2.

Writ Petition No. 996 of 2025:
Ms. Jennifer Sagayarajan for the Petitioner.
Dr. Dhruti Kapadia a/w Ms.Kavita Dhanuka for SRA.

Writ Petition No. 1081 of 2025 and Interim Application (L) No. 14487 of 25:
Mr. Amogh Singh a/w Ashwin Tripathi for Petitioner
Mr. Gaurav Srivastav alw Praik Irpatgire (in WP 1081/2025 for Respdt No. 3 and in WP/1086/2025 for Respdt No. 4)
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition No. 2229 of 2025 :
Mr. N.R. Bhumkar for Petitioner.
Ms. Neha Bhosale, Adv. Laveena Tejwani, Adv. Abdul Basit Kudalkar a/w Adv. Shivangi Bhatawadekar for SRA.
Ms. Prachi Khandge a/w Aditya M. i/b Bhutekar & Associates for Respdt. No. 4.

Writ Petition No. 2518 of 2025:
Mr. A.A. Siddiquie a/w. Mr. Chowdhari Moin i/b A.A. Siddiquie for Petitioner.
Ms.Madhura Deshmukh, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition No. 2706 of 2025:
Mr. Kapil Moye i/b. Kantilal H. Kanojia, & Ms. Jyoti A. Kanojia for Petitioners.
Ms. Anjali Ghuge i/b Mrs. Komal Punjabi for Respondent (BMC/ MCGM)
Ms. Sneha Mahawar a/w Mr. Yash Sheth i/b Tushar Goradia for Respdt No. 6.
Mr. Rakesh Pathak, AGP for State of Maharashtra.
Mr. P.G. Lad aw Adv. Manisha Jagtap aw Adv. Akshay Shinde aw Adv. Anjali Maskar for MHADA.

Writ Petition No. 2975 of 2025 :
Mr. Vidnyan Dawade for Petitioner
Ms. Anjali Ghuge i/b Mrs. Komal Punjabi for Respondent (BMC/ MCGM)
Mr. Nishigandh Patil, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition No. 3014 of 2025 :
Mr. Altaf Khan a/w Akash S. Bhogil and Akash Mangalgi, for Petitioner
Mr. Manish Upadhye, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms. Sandhya Bawankule, Assistant Registrar, SRA present.
Mr. Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition No. 3088 of 2025:
Mr. Shakil Ahmed a/w. Ms. Misha Shaneali a/w. Ms. Babita Kesharwani for Petitioner.
Mr. Arun Panikcar i/b. Mr. Milind Nar for Respdt No. 5.

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Ms. Vrushali Kobre, AGP for State of Maharashtra.
Mr. Mayur Khandeparkar a/w Ms. Manisha Prajapati i/b Miloni Gala, for Respdt No. 6.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition No. 3459 of 2025:
Mr. Viraj Jadhav i/b. Mr. Chinmaya Acharya for Petitioner.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms.Sandhya Bawankule, Assistant Registrar, SRA present.
Mr. Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (St.) No. 3738 OF 2025 :
Mr. Santosh Sanjkar, for Petitioner.
Mr. Manoj Mishra, for Respdt No. 1.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms.Sandhya Bawankule, Assistant Registrar, SRA present.
Mr. Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition No. 4193 of 2025 :
Mr. Mihir N. Bhujbal for the Petitioner.
Mr. R.P. Ojha, for Respdt No. 1.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition No. 4243 of 2025
Mr. Navin Singh for Petitioner
Ms. Priyanka Bhadrashete for Resp. No. 1/ SRA
Ms. Lavina Kriplani, AGP for State of Maharashtra.

WRIT PETITION NO. 4355 OF 2025 :
Mr. Shakil Ahmed a/w Adv. Misha Shaneali a/w Adv Babita Kesharwani for Petitioner.
Mr.Sushrut Desai i/b Saamya Partners for Respondent No. 3.
Mr. Rakesh Pathak, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen

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Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition (ST.) NO. 9462 OF 2025:

Ms. Jennifer Sagayarajan for the Petitioner.

Mr. Amogh Singh a/w Rahul Arora a/w Santosh Pathak a/w Kailash Pathak a/w Deepesh Kadam i/b Law Origin for Respdt. No. 3.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms. Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (St.) No. 21472 of 2025 & Interim Application (L) No. 24536/2025:

Ms. Rita K. Joshi AGP for State.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms. Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (St.) No. 24127 of 2025:

Ms. Jennifer Sagayarajan for the Petitioner.

Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms. Sandhya Bawankule, Assistant Registrar, SRA present.

Mr. Arun Jadhav, Co-Operative Registrar, SRA present.

Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (St.) No. 32432 of 2025 :

Mr. Altaf Khan a/w Akash Mangalgi for Petitioners.

Mr. Abhishek Kothari a/w Adv Rahul Theckedath a/w Adv. Aniwdh Ashok for Respondent No.4.

Ms. Neha Bhosale, Adv. Laveena Tejwani, Adv. Abdul Basit Kudalkar a/w Adv. Shivangi Bhatawadekar for SRA.

Ms. Varsha Sawant, AGP for State of Maharashtra.

Writ Petition (St.) No. 37240 of 2025 :

Mr. Altaf Khan a/w Akash Mangalgi for Petitioners.

Mr. Abhishek Kothari a/w Adv Rahul Theckedath a/w Adv. Aniwdh Ashok for

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Respondent No.4.
Ms. Neha Bhosale, Adv. Laveena Tejwani, Adv. Abdul Basit Kudalkar a/w Adv. Shivangi Bhatawadekar for SRA.
Ms. Varsha Sawant, AGP for State of Maharashtra.

Writ Petition (St.) No. 39942 of 2025:
Mr. Gulfam Khan for Petitioner.
Mr. Akash S. Bhogil for Respdt No. 3.
Ms.Poonam Mital, AGP for State of Maharashtra.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition (St.) No. 40687 of 2025:
Mr. Milind Nar i/b. Ms. Pinki Yadav for the Petitioner.
Ms. P.H. Kantharia, for Respondent SRA.

Writ Petition (St.) No. 40783 of 2025:
Mr. Gouraj Shah a/w. Ms. Ashwin Tripathi for Petitioner
Mr. Pradeep Sancheti, Senior Advocate a/w. Mr. Rohan Sawant, Mr. Vinod Kothari, Mr. Kshisij Parekh i/b Apex Law Partners for Respondent No. 7
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition (St.) No. 40792 of 2025:
Ms. Ashwin Tripathi for Petitioner.
Mr. Pradeep Sancheti, Senior Advocate a/w. Mr. Rohan Sawant, Mr. Vinod Kothari, Mr. Kshisij Parekh i/b Apex Law Partners for Respondent No. 7
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Writ Petition (St.) No. 40803 of 2025 :
Mr. Altaf Khan a/w Akash Bhogil and Akash Mangalgi for Petitioner.
Ms. Neha Bhosale, Ms. Laveena Tejwani, Mr. Abdul Basit Kudalkar a/w. Ms. Shivangi Bhatawadekar for SRA
Ms. Vrushali Kabre, AGP for State of Maharashtra.
Mr. Aparna Devkar, for Respondent Shakti SRP & Shakti Co. Op. Soc.

Writ Petition (St.) No. 40827 of 2025:
Mr. Altaf Khan a/w Akash Bhogil and Akash Mangalgi for Petitioner.
Ms. Neha Bhosale, Ms. Laveena Tejwani, Mr. Abdul Basit Kudalkar a/w. Ms.

Shivangi Bhatawadekar for SRA.
Ms. Aparna Devkar, for Shakti SRP & Shakti Co. Op. Soc.
Mr. S.B. Gore, AGP for State of Maharashtra.

Writ Petition (St.) No. 40828 of 2025:
Mr. Altaf Khan a/w Akash Bhogil and Akash Mangalgi for Petitioner.
Ms. Neha Bhosale, Ms. Laveena Tejwani, Mr. Abdul Basit Kudalkar a/w. Ms. Shivangi Bhatawadekar for SRA.
Ms. Aparna Devkar, for Shakti SRP & Shakti Co. Op. Soc.
Ms. Anupama Pawar, AGP for State of Maharashtra.

Writ Petition (St.) No. 40831 of 2025:
Mr. Altaf Khan for Petitioners.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.
Ms. Aparna Devkar, for Shakti SRP & Shakti Co. Op. Soc.
Ms. Manisha Gawde, AGP for State of Maharashtra.

WRIT PETITION (St.) No. 40833 OF 2025:
Mr. Altaf Khan a/w Akash Bhogil and Akash Mangalgi for Petitioner.
Ms. Neha Bhosale, Ms. Laveena Tejwani, Mr. Abdul Basit Kudalkar a/w Ms. Shivangi Bhatawadekar for SRA
Ms. Aparna Devkar, for Shakti SRP & Shakti Co. Op. Soc.
Ms. Varsha Sawant, AGP for State of Maharashtra.

Writ Petition (St.) No. 40868 of 2025:
Mr. Shakil Ahmed a/w. Ms. Misha Shaneali a/w Ms. Babita Kesharwani for Petitioner.
Ms. P.H. Kantharia, Adv. For SRA.

Writ Petition (St.) No. 40886 of 2025:
Mr. Navin Singh for Petitioner.
Ms. Poonam Mital, AGP for State of Maharashtra.

Writ Petition (L) No. 40923 of 2025:
Mr. Shahzad Naqvi a/w Ms. Amrin Syed i/b Naqvi Juris for the Petitioner.
Mr. Chirag Balsara i/b Sadaf Maldar, for Respdt No. 4.
Ms. Pushpa Thapa i/b Hardik Dessai for Respdt No. 6.
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

Ms. Sandhya Bawankule, Assistant Registrar, SRA present.
Mr.Arun Jadhav, Co-Operative Registrar, SRA present.
Mr. Pawar, Assistant Registrar, SRA present.

Writ Petition (St.) No. 41091 of 2025
Mr. Hitendra Gandhi for Petitioner
Ms. Tanaya Goswami for SRA
Ms. Anjali Ghuge i/b Mrs. Komal Punjabi for Respondent (BMC/ MCGM)
Dr. Birendra Saraf, Senior Advocate with Mr. Vishwanath Patil, Ms. Ravleen Sabharwal and Ms. Aarushi Yadav for the Respondents/SRA.

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

DATE: 23rdDECEMBER 2025

P.C.

1. As common issues of fact and law are involved in this batch of Petitions filed under Article 226 of the Constitution, they are being disposed of by this common judgment.

2. The issues in these proceedings primarily relate to the grievances of the petitioners regarding non-payment of transit rent by the developers in respect of the Slum Rehabilitation Scheme(s) with which they are concerned. The second issue revolves around failure to handover possession of the permanent alternate accommodation in a completed Slum Scheme coupled with non-payment of transit rent, and/or a combination of these issues in some cases.

3. On 17 December 2025, after hearing the parties on all these issues, a detailed order was passed by us issuing certain directions. As observed, the basic concern was to the effect that such issues ought not to reach the Court, as all such

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grievances which are quite fundamental to a Slum Scheme, they need to be effectively examined and addressed at the level of the Slum Rehabilitation Authority (**SRA**). The SRA also accepted a fair approach that such grievances can be effectively and expeditiously addressed by the SRA. Accordingly, we requested the Chief Executive Officer to constitute appropriate "Special Cell(s)" to deal with such cases, which would effectively consider the grievances of the slum dwellers, who are deprived of their legitimate entitlements, either in respect of transit rent or permanent alternate accommodation. The order dated 17 December 2025 is required to be noted, which reads thus:-

> " 1. The issues which arise for consideration in the present proceedings are *inter alia* in regard to non-payment of transit rent to the Petitioners by the concerned developers, who are undertaking "slum redevelopment projects." Such issues as also appreciated on behalf of the SRA by Dr. Saraf, learned Senior Advocate, as instructed by Chief Executive Officer, who is present in Court, in our opinion, ought not come to the Court. An appropriate and urgent attention to these issues at the departmental level needs to be devoted. We are informed by Dr. Saraf, that the concerned officer, who normally looks into these grievances is the Assistant Registrar of Societies – SRA. However, from the large number of proceedings reaching this Court on such issues, it appears that an effective mechanism is not in place and/or there is something which is drastically amiss. Considering the issues deliberated before the Court today, Dr. Saraf, would fairly submit that the Chief Executive Officer can evolve a more effective mechanism by setting up "Special Cells" of designated Officers which needs to more than one Special Cell, which can look into these issues in the spirit of the orders passed by us in Writ Petition (L) No. 32632/2025 **Vijay N. Gujar and Others Vs. State of Maharashtra and others** as directed in paragraph Nos 8, 9 and 10, which reads thus:
>
> > "8. At this stage, we are pointed out that there is a recent amendment by incorporating Section 33B to the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 vide Mah. 42 of 2025 with effect from 29 August, 2025, which in fact would take care of the concerns which we have expressed. However, under the said provision, actions needs to be taken and the provisions ought not to remain in the statute book. Section 33B of the Act reads thus.
> >
> > > "33B. (1) The eligible slum dwellers of the Slum Rehabilitation Scheme or Slum Redevelopment Project, may apply to the Chief Executive Officer or the Competent Authority, as the case may be, for recovery of rent in lieu of transit accommodation due from the developer of such Scheme or Project, in such manner and accompanied by such fees, as may be determined by the authority.

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(2) Where the Chief Executive Officer or the Competent Authority, as the case may be, is satisfied that the developer of any Slum Rehabilitation Scheme or Slum Redevelopment Project has defaulted in paying rent in lieu of transit accommodation to the eligible slum dwellers as agreed, the Chief Executive Officer or the Competent Authority may, after making such enquiry in respect of any amount due, on his own motion or on receipt of the application from the eligible slum dwellers, issue an order for the recovery of such amount within such stipulated time as may be specified in the order.
(3) The amount specified in every such order for recovery issued by the Chief Executive Officer or the Competent Authority, as the case may be, if not paid by the developer within the time specified in the order, it shall be recoverable as an arrears of land revenue in accordance with the law for the time being in force:

Provided that, if the person against whom the order for recovery is issued, is a company or a limited liability partnership having no sufficient property to satisfy the amount due under recovery order, then such amount shall be recovered from the personal property of the directors or partners of such company or firm, as the case may be."

9. Thus, there is now a clear mandate of law, which needs to be meticulously observed. It is in the wisdom of the Chief Executive Officer, appropriate action in that regard now be taken.

10. Before parting, we may observe that the nature of the grievances of the slum dwellers as raised in the petition on default in payment of transit rent are reaching not only the Court but also the grievance redressal forums. Although proactive steps in this regard are taken by the SRA to secure advance deposits of transit rent, however, it appears to us that the said directives cannot remain to be paper directives and the policy in that regard need to be effectively implemented. Such grievances which are legitimate/genuine, ought not to come to the High Court merely because of the apathy and inaction on the part of the Competent Officers of SRA who are not deciding such representations which are in fact touching the rights of the slum dwellers under Article 21 of the Constitution, i.e., Right to Shelter, which would be otherwise be available by ensuing timely payment of transit rent. Such rights cannot be defeated by such inaction of these officers. We, accordingly direct that no sooner such complaint is received, the same ought to be decided in accordance with law within a period of 15 days, failing which it would be required to be considered to be a breach of the fundamental rights of the slum dwellers at the hands of the slum authorities and the concerned officer accountable. Let a circular in that regard be issued by the CEO and forwarded to all the Competent Officers who are supposed to entertain such complaints and decide the same. This more for the reason that the developers cannot take a position that they would undertake the scheme, not pay the transit and utilize the money towards the transit rent for other purpose thereby depriving the slum dwellers of their legitimate amounts. This is neither the scheme under the Development Control

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& Promotion Regulations nor could be recognized under any prudent norms and rationale recognized under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 or the rules which are framed by the Slum Rehabilitation Authority. Hence, we sound a note of caution to the Chief Executive Officer of SRA that if any of these matters remain undecided, the Court would be required to take a strict view of such issues and pass appropriate orders including to hold the Competent Officers who are showing laxity in dealing with such complaints including in many cases overlooking the orders passed by the Competent forums/Court."

2. Dr. Saraf would also submit that in some cases time limit of 15 days for the issue to be decided would not be sufficient. In our opinion, in a given case, for reasons to be recorded the time limit can be extended by further 15 days. However, this ought not to result in any further delay in the disposal of such applications, as we have already observed that such issues touch upon the basic rights of the slum dwellers namely the right to shelter which is a concomitant of Article 21 of the Constitution of India.

3. Insofar as the writ petitions as listed today are concerned, we permit the learned Advocate for the SRA to prepare a tabular statement, considering the plea as urged on behalf of the SRA, that it is likely that in some cases, the outstanding transit rent has already been deposited by the developers with the SRA, and what would be required to be undertaken is the disbursement. In respect of some cases the parties would be required to be heard and appropriate orders passed by the Special Cells. Let such categorization be placed on record on the adjourned date of hearing, so that further appropriate orders on these Petitions can be passed.

4. We are also of the considered opinion that, considering persistent defaults being made by the developers in payment of transit rent to the slum dwellers and the plight of the slum dwellers being required to run from pillar to post in receiving such payment including to resort to litigation, the SRA needs to issue an appropriate circular to prevent such situations, by freezing a part of the free-sale component, which can be permitted to be dealt only after the construction of the rehabilitation building is completed, and all issues relating to payment of transit rent are duly addressed. Such freezing of the premises needs to be of the immediate lower floors, depending on the size of the floor and the approximate transit rent the developer would be required to pay to the slum dwellers, during the period of completion of the rehabilitation building. In such context, we may further observe that action under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, being resorted to terminate the developer in every case, may not be feasible. It may generate litigation although in deserving cases such action necessarily would be required to be resorted. This also for the reason that the slum dwellers cannot be made to wait for payment of transit rent, as they are already displaced from their premises and are required to take the brunt caused by the defaults of non-payment of transit rent. Thus, even if recourse is taken to such provisions, any delay in the payment of transit rent is not an acceptable proposition and a

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sufficient safeguard / security needs to be devised at the very inception of the slum redevelopment project.

5. While parting we may observe that the endeavour of the SRA needs to be to bring about a situation that such disputes which are directly touching the livelihood of the slum dwellers are resolved at the departmental level by the SRA, and as far as possible no litigation is generated on such issues from the orders passed by the SRA and/or the view of the officers would be taken. This more importantly when the complaints of the nature of transit rent are some of the very basic issues, which need to be promptly and effectively dealt by the officials of the SRA and the grievances resolved. The CEO SRA has sufficient powers to evolve a robust mechanism and avoid litigation on such issues as observed hereinabove.

6. In our opinion, developers undertaking such projects must also remain alive to these basic rights of the slum dwellers and to their corresponding obligation, not to commit any default in the payment of transit rent or in any permissible enhancement entitled to the slum dwellers, as stipulated under the circulars issued by the Slum Rehabilitation Authority. The developers also need to be alive to the situation that the slum dwellers with their limited financial resources cannot be permitted to individually litigate as certainly in pursuing such applications/litigation is a serious prejudice, financial and otherwise, caused to the slum dwellers. However, no prejudice would be caused much less of any magnitude to the developer in defending such litigation. We may sound a note of caution that in the event such cases reach before the Court for adjudication, in which the slum dwellers are found to be correct in their contention, that there is an illegal default on the part of the developer, the Court would be required to take a stern view of the matter including to compensate the slum dwellers by awarding penal costs. The reason being that for the developer, the project is a commercial venture, such a project cannot be permitted to be taken forward while arrears of transit rent remain unpaid or when the amounts are being utilised by the developer, not in payment of transit rent but for other purposes as observed by this Court in several orders passed in similar proceedings. Such approach on the part of the developer not only amounts to breach of contract/development agreement, but also breach of the rules and regulations, under which the developer would be required to undertake the Slum Rehabilitation Project. Hence, when in such cases, matters are brought to the Court, it would become necessary to impose compensatory costs being awarded in favour of the slum dwellers. We accordingly caution the developers who tend to be reckless on such aspects, who with impunity avoid their obligations towards the slum dwellers. We would also direct the SRA to deal sternly with such developers who are guilty of repeated defaults in the payment of transit rent, including, if the circumstances of the case so warrant, by attaching the free-sale component. Failing such action, there would be no deterrent, and such defaults on the part of these developers would be a routine affair, leading to further litigation. In our opinion, such litigation in the first place ought not to arise.

7. We also have another category of cases wherein issues on allotment of the slum tenements has reached this Court. These are cases where long back the projects are completed, however the persons who are eligible are yet to be put in possession of the permanent alternate tenements for number of reasons, for example either they are occupied by illegal occupants, inducted by the developers or the societies and/or the illegal occupants being inducted by

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> third parties. In the scheme of things as it stands, it cannot be a situation that the eligible slum dweller is deprived of the possession of the tenements unless the slum dweller is himself guilty of having entered into any agreement and/or a manner not known to law has created third party rights inducting such occupants.
>
> 8. We may recall that in such cases under the orders of the Court the SRA has taken action against the illegal occupants and has recovered possession. Such actions are required to be taken on a regular basis, as we are of the clear opinion that slum dwellers cannot be deprived, that too for several years, of their legitimately allotted premises merely because of illegal occupancy of their legitimately allotted premises. Dr.Saraf has appreciated such concerns. He would fairly submit that all issues in such category of matters also need not reach the Court, and would be required to be effectively examined and dealt at the level of the SRA. He would also submits that such grievances need to be addressed expeditiously. We would request Chief Executive Officer to form an appropriate "Special Cell", even in regard to such cases which can effectively consider the grievances of the slum dwellers on such counts, who are deprived of their legitimate tenements.
>
> 9. Let the position in this regard be clarified on the adjourned date of hearing on an affidavit which be filed on the issues as discussed in this order.
>
> 10. We accordingly adjourn the proceedings to **23rd December 2025 at 11 a.m.,** to be listed on a separate board as per today's listing."
>
> **(emphasis supplied)**

4. In pursuance of the aforesaid order, Dr. Saraf, learned senior counsel representing SRA has placed on record a compliance affidavit of Smt. Sandhya Bawankule, Assistant Registrar, SRA, wherein a progressive stand is taken on behalf of the SRA. The affidavit sets out, firstly, the position in regard to a batch of 64 petitions concerning issues of non-payment of transit rent, and secondly, issues pertaining to illegal occupation of tenements allotted by the developer or the society. The correct factual position qua the grievances of each of the petitioners is concerned, is set out in a tabular form annexed to the affidavit, along with a detailed chart in relation to the transit rent (Exhibit "B"). What is significant to be noted is that the said affidavit sets out the immediate steps, which have been taken by the SRA by issuing Circular Nos. 230, 231, 232 and 233, all dated 22

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December 2025, *inter alia* notifying constitution of Special Cells to address the concerns as underscored in our aforesaid order dated 17 December 2025.

5. Circular No. 230 deals with the constitution of a Special Cell to address complaints relating to possession of permanent alternate accommodation, particularly where permanent alternate tenements have not been handed over. Circular No. 231 concerns the recovery of transit rent. This circular makes a reference to the observations of this Court on a same embargo to be created on part of the free sale component, which can be dealt with only after the construction of the rehabilitation building is completed and all issues relating to payment of transit rent are addressed. The circular directs the Deputy Chief Engineer along with concerned officers to ascertain and decide the commensurate area of the free sale component as a corresponding security for payment of transit rent. It further records, that whenever a Letter of Intent is issued in relation to a Slum Rehabilitation Scheme, such Letter of Intent will include a condition qua the freezing of an appropriate lower floor(s) sale area. The computation of the free sale area, to be frozen, and/or not permitted to be dealt to be fixed by taking into consideration the number of slum dwellers, the monthly rent payable for an approximately three years' rent cycle, and the corresponding Ready Reckoner value of the sale area.

6. Circular No. 232 concerns PAP/PTC tenements which have not been handed over to the Authority and which are under illegal occupation, in respect of which earlier Circular Nos. 162A and 225 were issued by the SRA. Circular No.

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232 records that the developer shall not handover any rehabilitation tenements on its own, and that the respective Executive Engineers shall be responsible for implementation of the said circulars. It records that non-compliance of the stipulations on their part will be viewed as dereliction of duty and suitable action against them can be initiated. It further records that, in any scheme, PAP/PTC tenements are required to be demarcated in accordance with Circular No. 209, and the procedure prescribed therein must be strictly followed, thereby providing for strict implementation of the said circular.

7. Circular No. 233 concerns rent in lieu of transit accommodation payable to slum dwellers and prescribes the methodology which would now be adopted for dealing with complaints relating to non-payment of transit rent. Such complaints to be dealt with and decided by the Special Cell instead of the one official who was overwhelmed with such complaints.

8. All these measures have been sought to be addressed by the SRA considering the observations made by the Court in the order as noted hereinabove. It is imperative to take note of the contents of the said circulars in the present order, so that whenever recourse is required to be taken by the relevant information is readily available to appreciate effective mechanism the SRA intends to set into motion under such circulars. These circulars read thus:—

"CIRCULAR- 230

Hon'ble High Court in W.P. no 3140 of 2019 and other 62 Writ petitions observed that, there are case where long back the project are completed, however the persons who are eligible are yet to be put in possession of the

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permanent alternate tenements for number of reasons, for example either they are occupied by illegal occupants, inducted by the developers or the societies and/or the illegal occupants being inducted by third parties. In the scheme of things as it stands, it cannot be situation the eligible slum dweller is deprived of the possession of the tenements unless the slum dweller is himself guilty of having entered into any agreement and/or a manner not known law has created third party rights inducting such occupants.

In view of the above, Hon'ble High Courts observation it is decided as follow,

1. As per observation of Hon'ble High Court a "Special Cell against unauthorized occupation of rehabilitation tenements" is constituted as under,

City	Eastern Suburb	Western Suburb
Dy. Collector (Special Cell) City	Dy. Collector (Special Cell) Eastern Suburb	Dy.Collector (Special Cell) Western Suburb
Assistant Registrar, City	Assistant Registrar, Eastern Suburb	Assistant Registrar, Western Suburb
Executive Engineer-G/South Ward	Executive Engineer-N Ward	Executive Engineer-K/East

The above constituted Special Cell will be assisted by officers as required by them.

The Special Cell on receipt of grievances regarding illegal occupation of tenement allotted to eligible slum dweller and original slum dweller is deprived of permanent alternate tenement, illegal occupant in rehab tenement/PAP/PTC put in there by allottee slum dweller himself, random illegal occupant in rehab tenement/PAP/PTC, shall cause to inspect said tenement within two days.

As per inspection report, the Special Cell will decide which action need to be initiated in that case as per law and forward the report for Competent Officer responsible to the action.

The special cell will take review of the actions taken by the Competent Officers fortnightly and submit summary report to the CEO (SRA).

2. The eviction actions under section 3(E) and 33 of Slum Act shall be taken on regular basis by the Competent Officer to whom powers are delegated. These officers will complete the procedure of order and eviction within four weeks from the receipt of report from special cell.

3. The Competent Officer ensure that all issues in such category of unauthorized occupation matters need not reach the court unattended and such matters would be examine and dealt effectively at their level.

4. Competent Officers shall not pass the buck raising issues but their focus need to be on effective consideration of grievances of slum dwellers who are deprived of their legitimate permanent accommodation.

(Dr. Mahendra Kalyankar)

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Chief Executive Officer, SRA Brihanmumbal

CIRCULAR-231

Hon'ble High Court in W.P. no 3140 of 2019 and other 62 Writ petitions observed that persistent defaults made by Developers in payment of transit rent to the slum dwellers and the plight of the slum dwellers being required to run from pillar to post in receiving such payment Including to resort to litigation. To prevent such situations Hon'ble High Court directed to freeze a part of free sale component which can be permitted to be dealt only after the construction of the rehabilitation building is completed, and all issues relating to payment of transit rent are duly addressed. Such freezing of the premises needs to be of the immediate lower floors, depending on the size of floor and the approximate transit rent the developer would be required to pay to the slum dwellers, during the period of completion of the rehabilitation building.

Accordingly, the concerned Dy. Chief Engineer alongwith concerned Executive to ascertain and decide the quantity of free sale component. Whenever Letter of Intent is issued for a slum rehabilitation scheme, the letter of Intent will include freezing of appropriate lower floor sale area. computation of Sale area to be freeze will be done taking into consideration number of slum dwellers, rent per month for approximately three years rent cycle and corresponding ready reckoner value for sale area.

In case of existing slum rehabilitation schemes, Engineering Department will evaluate transaction of sale component by developer and will freeze appropriate sale component as per situation. In cases where the free sale component is already sold, then corresponding bank guarantee need to be taken. Any, false statement by developer will be termed as perjury and he will be penalized accordingly.

The concern Executive Engineer will Intimate to the Registrar of Stamps, of the freezing of free sale component in the project. Further on rehabilitation of all the slum dwellers and on addressing all the issues relating to payment of transit rent will defreeze the said sale area, same shall be conveyed to Registrar of stamps.

(Dr. Mahendra Kalyankar)

Chief Executive Officer, SRA Brihonmumbal

CIRCULAR 232

Hon'ble High Court recently in couple of Writ Petitions took a stern view of encroachment of rehab tenements. In slum rehabilitation schemes, PAP/PTC are generated as per regulation. Recently, there are Instances where it is observed that these PAP/PTC are not handed over to authority, instead, some illegal occupation is done. To avoid such instances, Authority had already issued circular no. 162A and circular no. 225. All rehabilitation tenements must be handed over to Estate Department of SRA. Developer shall not handover any rehabilitation tenement on his own. Respective Executive Engineers are responsible for Implementation of above circulars.

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Any dereliction on their part will be viewed as dereliction of duty and suitable action against them can be initiated. Dy. Chief Engineer to take bimonthly review.

In any scheme, PAP/PTC need to be demarcated as per circular no. 209 and further procedure as per circular must be done. Any dereliction on this will be termed as dereliction of duty.

Strict implementation of circular no.210 by Executive Engineer is warranted. Any dereliction will be termed as dereliction of duty.

Regular inspection of all the schemes by concerned Executive Engineer and his team is necessary. In event of any contrary work or procedure by developer is noticed, then immediate action by them is essential. "A stitch in time saves nine." So regular inspection and adherence to standard procedure should be scrupulously followed.

(Dr. Mahendra Kalyankar)

Chief Executive Officer, SRA Brihanmumbai

CIRCULAR NO. 233

Sub: Rent in lieu of transit accommodation to slum dwellers

Ref: Circular No.153. Circular No.210, Section 33(B) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.

Slum Rehabilitation Schemes approved by Slum Rehabilitation Authority, Brihanmumbai pay transit rent in lieu of transit accommodation to slum dwellers. The modifications In Circular No.153 are as follows,

1. Developer shall pay initial transit rent for period of two years for slum dwellers with SRA & post-dated cheque for transit rent period of one year to SRA.

2. If there are complaints regarding non payment of transit rent to slum dwellers, then these complaints will be adjudicated by "Special Cells for adjudication and recovery of transit rent" of designated officers. These cells will look into the issues of non payment of rent in the spirit of the orders passed by Hon'ble High Court in Writ Petition No.3140 of 2019 & 62 other writ petitions dated 17/12/2025...

3. These "Special Cells for adjudication and recovery of transit rent" will adjudicate complaints within time limit of 15 days, these time limit can be extended by further 15 days for reasons thereof shall be recorded in writing. There should not be any delay in disposition of such complaint applications.

4. After adjudication, when developer is required to pay rent to slum dweller, then he should be communicated Immediately and concerned Engineers should keep tab on payment of rent to slum dweller. If it is observed that, developer had not paid rent to slum dweller then proposal will be made to Dy. Collector (Special Cell) for recovery procedure as per Section 33(B) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. The recovery procedure shall be initiated within two weeks.

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5. Concerned officers need to work in spirit for transit rent payment to slum dweller.

6. Special Cells for adjudication and recovery of transit rent' will submit fortnightly report for review to OSD (IT) to CEO (SRA).

7. "Deputy Collector (Special Cell)' will submit fortnightly report of report of recovery to OSD (IT) to CEO (SRA).

Proactive measures by Slum Rehabilitation Authority, Brihanmumbai are as follows,

1. Co-ordinator Rent Auditor shall cause to audit all slum rehabilitation schemes for transit rent. Charter Accountants & Certified Auditors from panel of Divisional Joint Registrar Co-op. Soc. Mumbai will audit transit rent in schemes as directed by Co-ordinator Rent Auditor.

2. Co-ordinator Rent Auditor will collect all information regarding transit rent payment to all slum dwellers in scheme after scrutinizing the report. Thereby preparing a master list of transit rent payment to slum dwellers which will show defaulted rent & date of next payment cycle to slum dweller. Co-ordinator Rent Auditor will inform the Developer for payment of defaulted rent and payment to slum dweller before start of next cycle of payment. Co-ordinator Rent Auditor will inform the same to Assistant Registrar Co-op. Soc. & concerned Engineers.

3. Objective of this exercise is for timely payment of transit rent to slum dwellers, so that SRA can respond before slum dwellers are aggrieved.

4. Executive Engineer and Assistant Registrar C.S. (SRA) will issue notices to all ongoing Slum Rehabilitation schemes and ask to pay rent to all displaced slum dwellers as well as submit self declaration for all slum dwellers, which will be checked by Executive Engineer, Dy. Collector (Special Cell) and Assistant Registrar C.S. (SRA).

Procedure regarding recovery of defaulted transit rent payment is as follows,

1. When it is established that developer has defaulted the transit rent payment concerned Engineer shall immediately issue Stop Work Notice to sale portion of slum rehabilitation scheme. Then concerned Assistant Registrar Co-op. Soc and Engineer shall move proposal for encashment of deposits by developer in SRA. Slum Dweller will be paid after encashment immediately by Finance Controller.

2. Commencement of work will begin after restoration of deposits by developer.

3. If deposits are not enough to cover defaulted rent, then a proposal for recovery under Section 33(B) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 will be initiated before Dy. Collector (Special Cell) by Assistant Registrar Co-op. Soc, concerned Engineer and Finance Controller (SRA).

4. After recovery by Dy. Collector (Special Cell), Finance Controller (SRA) will disburse defaulted rent to slum dwellers in proposal for recovery and inform the same to Assistant Registrar C.S. (SRA).

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5. Assistant Registrar C.S. (SRA) will keep information regarding payment of rent to applicant slum dwellers and will submit fortnightly report to OSD (IT) to CEO (SRA).

6. Finance Controller (SRA) will submit fortnightly report regarding deposit and disbursement of transit rent to CEO (SRA) with copy to Assistant Registrar C.S. (SRA).

(Dr. Mahendra Kalyankar)

Chief Executive Officer, SRA Brihanmumbai

To,
1. OSD to CEO, SRA Brihanmumbai
2. OSD (IT) to CEO, SRA Brihanmumbai
3. Secretary SRA, Brihanmumbai
4. Dy. Chief Engineer-I & II, SRA Brihanmumbal
5. All EE, SRA Brihanmumbai
6. CLC, SRA Brihanmumbai
7. Dy Collector (Special Cell)- I, II & III, SRA Brihanmumbai
8. All Competent Authority, SRA Brihanmumbal
9. ARS, SRA Brihanmumbai
10. FC, SRA Brihanmumbai
11. DDTP, SRA Brihanmumbai
12. DDLR, SRA Brihanmumbal
13. Co-ordinator Officer (Audit) Co-operative Department
14. Co-ordinator Officer (Administration) Co-operative Department
15. Estate Manager, SRA Brihanmumbai
16. IT, SRA Brihanmumbal

Office order

Slum Rehabilitation Authority, Brihanmumbai has constituted following "Special Cells" of designated officers for recovery of transit rent to slum dwellers in spirit of order of Hon'ble High Court in Writ Petition No.3140 of 2019 and other 62 writ petitions.

"Special Cell No.1 for adjudication and recovery of transit rent"
1. Co-Ordinator Officer Administration Co-Operative Department
2. Assistant Registrar Co-Op. Soc. (Suburb)
3. Tahsildar (Special Cell), City
4. Assistant Engineer (G/South Ward)

"Special Cell No.2 for adjudication and recovery of transit rent"
1. Co-Ordinator Officer (Rent Audit), Co-Operative Department
2. Assistant Registrar Co-Op. Soc. (City)
3. Tahsildar (Special Cell), (Eastern Suburb)

4. Assistant Engineer (S Ward)

(Dr. Mahendra Kalyankar)

Chief Executive Officer, SRA Brihanmumbai

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To,
1. OSD to CEO, SRA Brihanmumbal
2. OSD (IT) to CEO, SRA Brihanmumbai
3. Secretary SRA, Brihanmumbai"

9. In our opinion, the aforesaid steps taken by the SRA will go a long way and have a substantial impact on effective resolution of the grievances of the slum dwellers on the issues of non-payment of transit rent and the method of securing the payment of transit rent, illegal occupation of rehabilitation tenements and possession of the same being not handed over to the legitimate allottee/slum dweller. We appreciate the promptness of the Chief Executive Officer for taking such proactive measures by appropriately estimating the objectives which need to be achieved, which we have repeatedly emphasized, namely, that the implementation of the Slum Rehabilitation (SR) Scheme needs to be seamless and free from any bottlenecks for the different stakeholders. A Slum Scheme needs to be implemented smoothly, without requiring any of the players, whether slum dwellers, the society, or the developer to resort to any litigation, and without conflicts/frictions amongst such stakeholders. The avalanche of disputes has created an additional burden on the official machinery of the Slum Rehabilitation Authority (SRA) which ought not to arise if these stakeholders adhere to rules and regulations in discharge of their respective obligations. It may be observed that, under the redevelopment framework envisaged by the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, read with Regulation 33(10) of the Development Control and Promotion Regulations (DCPR) 2034, specific obligations are cast upon all stakeholders

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involved in the scheme, which need to be discharged by such players with utmost diligence and honesty.

10. These obligations which arise in different forms are required to be discharged without generating disputes. Time and experience has shown the issues/areas of such disputes which by now appear to be well identified to name some of them; vacating of slum structures, provision of transit accommodation, payment of transit rent, hurdles in the construction of the rehabilitation buildings or the free-sale component, and claims relating to interest on arrears of transit rent, illegal occupation of the tenements, delay in allotment of tenements and delay in execution and completion of the Slum Scheme. These are some of the areas in which disputes under slum rehabilitation schemes frequently arise, resulting in matters being taken before various authorities and, ultimately, the courts. In this view of the matter, we have considered the stand taken by the Chief Executive Officer to be progressive, in issuing the aforesaid circulars, the contents of which we have noted hereinabove.

11. On the aforesaid backdrop, we are of the clear opinion that, in the spirit with which the aforesaid circulars have been issued by the CEO, SRA constituting the special cell(s), the issues relating to transit rent as raised in these Petitions as also the grievances regarding non-handing over of permanent alternate tenements or a combination of both these issues are now required to be effectively considered by the special cells constituted by the Slum Rehabilitation Authority (SRA). The methodology in this regard has already been set out in the circulars.

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12. Thus the expectation would be that the special cell addresses the grievances expeditiously and in accordance with law that is, upon due consideration of the facts of each case, and not in a mechanical manner. The officers manning the special cells must be alive to the genuine grievances of the stakeholders and how best the issues can be resolved, this more particularly, on issues which directly affect the slum dwellers like when grievances are raised by the slum dwellers like non-payment of transit rent, which itself involves the assertion of the right to shelter, being a facet of Article 21 of the Constitution of India. A similar position would prevail where a legitimate entitlement to a permanent alternate tenement is denied.

13. In this view of the matter, the grievances /complaints need to be considered at the first instance in an amicable manner, without any stakeholder perceiving such consideration as adversarial. The reason being that it is not in any interest of the slum dwellers that they be involved in any litigation. Hence, an approach of resolution of these issues in harmony is the need of the hour, rather than adjudication. Such, indeed needs to be the very purpose and endeavor behind the constitution of these special cells failing an amicable resolution, necessarily an order would be required to be passed

14. We clarify that the constitution of the special cells pursuant to our orders is not intended to create any independent adjudicatory mechanism, but rather to provide a forum where issues are considered and addressed in a cordial and constructive manner, albeit culminating in an order. Once such order is passed, it

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shall be an order passed by the officials of the SRA as normally being done in exercising such powers as conferred under the Slums Act.

15. It is needless to observe that albeit the aforesaid mechanism the propensity to litigate on the part of some the stakeholders cannot be entirely ruled out. Despite such determination, parties may still feel aggrieved. However, once a factual determination by the cell is available on record as fairly stated on behalf of the SRA, it shall be open to the parties to avail of appropriate remedies as statutorily prescribed under the provisions of law by approaching the competent statutory forums, wherein further adjudication of such grievances may be undertaken.

16. We also sound a note of caution that the endeavor of the special cells, ought not to be, to generate further litigation, but rather to amicably resolve disputes, even by taking recourse to appropriate mediation practices. In this regard, the Chief Executive Officer may consider calling upon the members of the special cells to undergo training in mediation practices, which is the need of the hour, more particularly in light of the promulgation of the Mediation Act, 2023. In our opinion, this is a crucial exercise, as the overarching endeavor must be to curb litigation and bring about a win-win situation for all stakeholders.

17. In light of the aforesaid observations, we permit the Petitioners to make their respective applications, subject matter of the present proceedings, before the appropriate special cells created for such purpose. Upon receipt of such

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applications, they shall be taken forward for consideration and for passing appropriate orders consensually or otherwise in accordance with law.

18. Having regard to the above discussion, we do not propose to delve into the merits of the individual cases before us, all issues in these proceedings are kept open to be considered by the special cells appointed by the Slum Rehabilitation Authority (SRA) which shall examine such grievances and after hearing the Petitioners and the opponents, decide such applications which may be received by the Special Cells.

19. The proceedings accordingly stand disposed of in terms of the following order:

ORDER

(i) The Petitioners/parties are at liberty to approach the respective special cells constituted by the Slum Rehabilitation Authority (SRA) by making appropriate applications setting out their grievances. Such applications shall be filed by 15 January, 2026 so as to include all the grievances as raised in the present proceedings.

(ii) Prior to the filing of such applications to ease out the procedural hurdles, copies of the grievance applications, be served upon the opponents/respondents physically and for reason which may be set out, by other permissible modes of service. The notice

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shall clearly indicate in advance the date on which the application/complaint is being filed.

(iii) Such applications being filed before the Special Cell shall be accompanied by an appropriate affidavit of service, which shall annex the service letter, in which the date of filing of complaint/grievance application is informed to the opponent. The application be accordingly granted a registration number.

(iv) The opponents/respondents shall be permitted to file their memo of appearance before the designated officer of the Special Cell. The Special Cell shall assign an appropriate date when the parties would be heard on such complaint, which be notified on the website under the caption "hearing before the Special Cell". All such applications shall be decided within a time-bound schedule, after providing an opportunity of hearing to all parties.

(v) In the event despite service, if no memo of appearance being filed or the opponent fails to appear, the Special Cell may presume that the opponents/respondents are not interested in participating at the hearing. In such cases, the special cells shall take further appropriate action, which may include issuing a fresh notice to secure the presence of the necessary parties and/or proceeding with the matter for its expeditious disposal as the circumstances may warrant. However, all such actions must be carried out strictly in

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accordance with law and in a time bound manner, failing which, this itself may give rise to further litigation.

(vi) In regard to the grievances of the slum dwellers being deprived of a Permanent Alternate Accommodation (PAA), such matters shall be taken up with utmost expedition, as in certain category of cases, there is hardly any scope for adjudication where the entitlement has already been determined under the PAA Scheme or where persons have been held eligible through the lottery system. Such determinations shall be undertaken without any delay and appropriate orders passed.

(vii) In relation to grievances concerning the payment of transit rent, the special cells shall pass appropriate orders determining the amount of transit rent payable. The policy of the SRA shall be applicable with regard to the payment of interest, as observed by this Court in *Vijay Namdeo Gujar vs. State of Maharashtra*, WPL 32632/2025.

(viii) The endeavour of the special cells shall be to dispose of all grievances expeditiously and in a time-bound manner, as directed by this Court in previous orders. An endeavour shall be made to ordinarily dispose of the complaints within fifteen days from the date of filing, with a further extension of further 15 to 30 days for

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reasons to be recorded in writing. The objective is to ensure that such complaints/grievances are disposed of at the earliest and not delayed.

(ix) We further observe that all stakeholders are required to cooperate with the process. In the event of non-cooperation from any of the parties, the special cells, with the concurrence and approval of the Chief Executive Officer, shall have the power to pass appropriate orders, including orders of a drastic nature, as the facts may warrant. In such context, it is clarified that the powers conferred upon the Chief Executive Officer by law are well defined they are paramount. The Special Cells shall exercise such powers as available to the officers of the SRA, who are otherwise and in the normal course undertaking administrative quasi-judicial determination of the issues as the case may be. Thus, any order passed by the special cells shall be deemed to be an order of the SRA.

(x) Any person aggrieved by an order passed by the special cell(s) would have a remedy as noted hereinabove, by approaching the appropriate statutory forum and/or as may be permitted by law.

A separate general committee shall be appointed by the CEO, SRA to consider other issues noted hereinabove not being dealt by the special cells, already constituted; for example, in the event of any dispute relating to eligibility of a slum dwellers to receive a permanent alternate accommodation by having his name under

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Annexure-II. In regard to such disputes qua the land owned by the Municipal Corporation or MHADA, such committee may include one invitee/representative from MHADA and the Municipal Corporation. Accordingly, the Chief Officer of MHADA and the Municipal Commissioner of the Mumbai Municipal Corporation shall nominate competent officials to form part of this committee, along with two officials to be nominated by the Chief Executive Officer of the SRA. This committee shall adjudicate the inter se disputes relating to eligibility qua Annexure-II and other miscellaneous issues not falling within the jurisdiction of the two special cells noted earlier.

(xi) It is clarified that for disputes not pertaining to Annexure-II, it shall suffice that two appointees of the Chief Executive Officer of the SRA shall constitute a special cell to adjudicate grievances that do not fall within the jurisdiction of the committees already constituted. The Chief Executive Officer shall take appropriate steps to constitute such committee by issuing a circular by 10 January, 2026. The MHADA and the Municipal Corporation shall forward the names of their respective nominees to the Chief Executive Officer of the SRA on or before 8 January, 2026.

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20. With the aforesaid observations, the proceedings stand disposed of, keeping open all contentions of the parties to be urged before the respective Special Cells. No costs.

(AARTI SATHE, J.) (G. S. KULKARNI, J.)

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