

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

WRIT PETITION NO. 751 OF 2025

Hariram Baldev Pal

...Petitioner

Versus

State Of Maharashtra Through
Government Pleader & Ors.

...Respondents

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Mr. A.K.Upadhyay a/w. Mr. Rohan Kharat, for Petitioner.

Mr. Akshay Patkar, AGP for Respondent – State.

Dr. Dhruiti Kapadie a/w. Ms. Kavita Dhanuka, for Respondent No.3 & 4.

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

DATE: 18th September 2025

P.C.

1. This Petition is filed under Article 226 of the Constitution of India praying for the following reliefs:-

“a) That this Hon'ble Court may be pleased to issued writ of Mandamus or a writ, order direction in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of The Constitution of India and calling for the records and proceedings pertaining to sanction of subject S.R.A Scheme and after examining the legality, validity and proprietary thereof the Petitioner be provided permanent alternate accommodation of commercial premises on ownership basis on the front portion of the building of Respondent No. 6 society under SRA scheme on plot land bearing CTS No. 194 (pt) of village Ghatkopar and 1(pt) of village Vikhroli for Kranti Jyot SRA Co-Op Housing society.

b) That this Hon'ble Court may be pleased to issued writ of Mandamus or a writ, order direction in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of The Constitution of India the respondents to provide permanent alternate accommodation

of commercial premises on ownership basis on front side Swami Samarth Marg facing of the building of Respondent No. 6 society under SRA scheme on plot land bearing CTS No. 194(pt) of village Ghatkopar and 1(pt) of village Vikhroli for Kranti Jyot SRA Co-Op Housing society.

c) That this Hon'ble Court may be pleased to issued writ of Mandamus or a writ, order direction in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of The Constitution of India be pleased to pass order directing the respondents to get sanction plan in respect of commercial premises of Petitioner pursuant to letter dated 13/02/2014 and to amend the annexure II as per identity card area admeasuring 20 x 12 Sq. ft. i.e. 240 sq. ft. carpet and provide area admeasuring 20 x 12 Sq. ft. i.e. 240 sq. ft. carpet towards permanent alternate accommodation of commercial premises on ownership basis on Swami Samarth Marg facing front side of the building of respondent No. 6 society under SRA scheme on plot land bearing CTS No.194(pt.) of village Ghatkopar and 1(pt.) of village Vikhroli for Kranti Jyot SRA Co-Op Housing society.

d) That this Hon'ble Court may be pleased to issued writ of Mandamus or a writ, order direction in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of The Constitution of India pass order directing the Respondent No. 5 to provide to applicant regularly and on time monthly compensation/ rent as agreed to the applicant as per rules in respect of commercial premises of applicant in respect of plot land bearing CTS No. 194(pt.) of village Ghatkopar and 1(pt.) of village Vikhroli for Kranti Jyot SRA Co-Op Housing society.

e) That this Hon'ble Court may be pleased to issued writ of Mandamus or a writ, order direction in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of The Constitution of India in alternative direct the Respondent No. 2 to decide the petition /application being No. 28 of 2022 pending before respondent No. 2.

f) Pending herein and final disposal of writ petition Respondent No.5 developer be directed not to allot the premises to the respective occupants and further competent Authorities be directed not to issue any kind of permission in respect thereof.

- g) Interim and ad-interim order reliefs in terms of prayer clause (f) above be granted.
- h) For cost of the Petition.
- i) For such other and further reliefs as the nature and circumstances of the Petition / case may require.”

2. Admittedly, the Petitioner has approached the Apex Grievance Redressal Committee (AGRC) in the proceedings of Appeal. The Appeal is pending from quite some time. In this view of the matter, we are of the opinion that the after hearing the parties, Appeal needs to be decided by the AGRC, as expeditiously as possible, preferably within a period of six weeks from today.

3. All contentions of the parties are expressly kept open.

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

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)