

Prajakta Vartak

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

WRIT PETITION NO. 5166 OF 2024

Modern Tanners Co-op. Society Ltd.

...Petitioner

Vs

The State of Maharashtra & Ors.

...Respondents

Mr. Pradeep Thorat with Mr. Rushikesh Kekane i/b. Mr. Aditi Naikare for
Petitioner.

Mr. Atul Vanarse, AGP for State.

Mr. Anoop Patil with Mr. Darpan Gupta for Respondent Nos.2 to 4.

Mr. Rutuja Bodake i/b. Ms. Komal Punjabi and Ms. Pushpa Yadav for
Respondent No.5.

CORAM: G. S. KULKARNI &
MANJUSHA DESHPANDE, JJ.
DATE: 21 AUGUST 2025.

P.C.

1. We have heard learned counsel for the parties on this petition filed under
Article 226 of the Constitution of India which prays for the following substantive
relief:-

“a) That this Hon’ble Court may be pleased to issue a Writ of
Mandamus or any other Writ in the nature of Mandamus directing the
Respondent Nos.1 to 3 to decide the eligibility of the Petitioner for
rehabilitation under the Dharavi Redevelopment project in respect of the
said property i.e. Plot No. 220 adm. 17500 sq. feet situate at Cadastral
Survey No. 346 of Dharavi Division, having Municipal Ward No. 17-G,
at M.L. Wadi, Dharavi Main Road, Dharavi, Mumbai – 400 017
alongwith the godown which was standing thereon.”

2. We are informed by learned counsel for the SRA that steps would be taken
in pursuance of the public notice dated 11 March 2024 to undertake a survey and
only after the survey is undertaken, the claims can be considered for the purposes
of the SRA scheme and eligibility. The petitioner has already made an application

for the eligibility of its members to be decided on the materials the petitioner intended to place on record of the SRA. It is in the fitness of things that the petitioner's application be considered at the appropriate time after the survey of the land in question is complete.

3. In this view of the matter, we are of the opinion that the petition would not require further adjudication considering such stage of the determination by the SRA. It is disposed of keeping open all contentions of the parties, with a direction to the SRA to consider the petitioner's application in accordance with law at the appropriate time.

4. Disposed of. No costs.

(MANJUSHA DESHPANDE, J.)

(G. S. KULKARNI, J.)