

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1577 Of 2025

BLUE CASTLE INFRA LLP & ANR. ...Petitioners
VS
SLUM REHABILITATION AUTHORITY & Ors. ...Respondents

Mr. Karl Tamboly a/w Mr. Dhiren Shah, Ms. Mamta Harwani i/b Dhiren H. Shah, for
Petitioner in Writ Petition No.1577 of 2025.

Mr. Mayur Khandeparkar with Vikram, Jash Gandhi, Chirag Sancheti, Asif Lampwala,
Saad Memon i/b. Bulwork Solicitors, for Petitioner in Writ Petition [L] No.3726 of
2025.

Mr. Mayur Khandeparkar with Vikram, Jash Gandhi, Chirag Sancheti, Asif Lampwala,
Saad Memon i/b. Dipashri Raorane, for Respondent No.7 in Writ Petition No.1577 of
2025.

Ms. Ravleen Sabharwal, for Respondent – SRA in both matters.

Mr. Malcon Siganporia, for Respondent No.8 in Writ Petition No.1577 of 2025 and for
Respondent No.5 in Writ Petition [L] No.3726 of 2025.

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

DATE: **29 SEPTEMBER 2025.**

P.C.

1. By an order dated 28 July 2025, passed by the co-ordinate Bench of this
Court of which one of us (G. S. Kulkarni, J.) was a member, in permitting the
petitioners to deposit an amount of Rs.5 crores, the Court categorically observed
in paragraph 4 to the following effect:-

“4. We have passed the aforesaid order as prima facie, we are of the
opinion that the order needs to be in accordance with what has been
provided for in law and considering the Heads which are taken into
consideration which are being alleged to be Heads which can never
be subject of any payment/recovery from the petitioners. We keep
open all contentions in that regard which shall now be advanced
before the Chief Executive Officer of SRA. **Needless to observe that,
in the event, amounts as directed by us are not deposited, the**

protection as granted by us shall not be available to the petitioners.”

2. It is not in dispute that although an amount of Rs.2 crores was deposited the balance amount is neither deposited nor the bank guarantee was furnished as observed in the previous order. In this view of the matter, the order dated 28 July 2025 is self operative that the protection granted by the said order is not available to the petitioners and accordingly, the stop work notice is operational.

3. At this stage Mr. Tamboly, learned Counsel for petitioners would submit that in pursuance of the Court's order dated 28 July 2025, there is an order dated 22 September 2025 passed by the Chief Executive Officer under Section 13(3) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.

4. In compliance of the Court's order dated 28 July 2025, the respondents have placed on record an affidavit.

5. In the aforesaid circumstances, Mr. Tamboly has fairly stated that the order dated 22 September 2025 as corrected by the corrigendum dated 23 September 2025, now would be challenged by the petitioners before the AGRC.

6. In this view of the matter, further adjudication of the petition is not called for. It is accordingly disposed of, keeping open all contentions of the parties to be agitated before the AGRC.

7. In compliance of our earlier order dated 7 August 2025, the petitioners have deposited Rs. 2 crores in this Court. Let such amount be remain deposited

in this Court, which shall be subject to the further orders that would be passed in the proceedings before the AGRC. The parties are at liberty to move an appropriate application for withdrawal of the amount with accrued interest, if any at the appropriate time.

8. At this stage Mr. Tamboly would submit that the petitioners have submitted a bank guarantee of Rs.27,37,500/- with the SRA, however, it appears that the same has been misplaced from the record of the SRA. If that be so, the SRA is directed to issue a certificate of the misplacement of the original bank guarantee, within 10 days from today.

9. Disposed of in the above terms. No costs.

(AARTI A. SATHE, J.)

(G. S. KULKARNI, J.)