

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

WRIT PETITION NO.2685 OF 2025

Pradeep Shridhar Bhosle

Petitioner

versus

The State of Maharashtra and others

Respondents

Mr.Abhay Khandeparkar, Senior Advocate, with Mr.Rishikesh Bhagat i/by Sameer Tendulkar for Petitioner.

Mr.Suraj Gupte, AGP, for Respondent no.1

Mr.Mayur Khandeparkar with Mr.Akshay Naidu i/by Mr.Vishwanath Patil for Respondent no.2 SRA.

Mr.Viraj Tulzapurkar, Senior Advocate, with Mr.Karl Tamboly, Mr.Saket Mone, Mr.Vikramjeet Garewal and Ms.Anchita Nair i/by Vidhi Partners for Respondent no.4.

Mr.Dinesh Parmar i/by Mr.Sumeet Tyagi for Respondent no.6.

Ms.Ravleen Sabharwal for Respondent no.3.

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

DATE: 15th December 2025

P.C.

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

“A) This Honourable Court be pleased to call for the records and proceedings before the Respondent no.2 and 3 related with the declaration of the ‘slum Area’ in respect of the said property and redevelopment of the said property i.e. land bearing Survey No.378, Hissa No.1 at village Kole Kalyan in Greater Mumbai admeasuring 35000 sq.yards and after proper scrutiny this Honourable Court be further pleased to grant the following reliefs;

(B) This Honourable Court be pleased to issue the Writ of Mandamus or the Writ of similar nature directing the Respondent no.2 to give all the rights, powers and facilities to the Petitioners which are available to the owner of the private land including

(i) right to redevelop the said property on such terms and conditions this Honourable Court may deem fit and proper,

(ii) direct the occupants of the hutments to give the rent or monthly compensation in respect of the premises in their possession, occupation, use and enjoyment and

(iii) to direct the occupants of the said hutments to sign, execute and deliver the necessary deeds, agreements, affidavits and consent/no objection in the names of the Petitioners as per the provisions of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971;

(C) Pending the hearing and final disposal of this petition, this Honourable Court be pleased to grant the Order of Injunction restraining the Respondents nos.2 from inviting any tender, proposal and offer in respect of the redevelopment of the said property as also from entering into any agreement, deed or any other document whatsoever in nature in respect of the redevelopment of the 'said property' i.e. land bearing Survey No.378, Hissa No.1 at village Kole Kalyan in Greater Mumbai admeasuring 35000 sq.yards;

(D) Pending the hearing and final disposal of this Petition, this Honourable Court be pleased to direct the occupants of the Hutment dwellers on the said property to pay the rent and monthly compensation in respect of the premises occupied by them to the Petitioners, on such terms and conditions as this Honourable Court may deem fit and proper;

(E) Pending the hearing and final disposal of this Writ Petition, in case if this Honourable court is pleased to hold that, the Judgments and Orders passed by the Honourable Supreme Court may affect to the present proceedings, then the necessary liberty and time be granted to the Petitioners to make necessary application to the Hon'ble Supreme Court of India to seek the necessary directions."

2. After the petition was heard for some time and more particularly considering the Judgment and Order passed by the Supreme Court in Civil Appeal No(s).18121 of 2017 dated 4th January 2018 (Susme Builders Pvt.Ltd. Vs. Chief

Executive Officer, SRA and others), learned counsel for the Petitioner seeks leave to withdraw this petition with liberty to espouse appropriate proceedings. Accordingly allowed to be withdrawn with liberty as prayed for. All contentions of the parties are expressly kept open.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)