

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2863 OF 2025

Kanhaiyalal Madhavji Thakkar

...Petitioner

Vs

Slum Rehabilitation Authority & Ors.

...Respondents

Mr. Manoj Shirsat with Mr. Kishor Shah for Petitioner.

Ms. Ravleen Sabharwala with Ms. Aarushi Yadav for Respondent No.1/SRA.

Mr. Kunal Mehta with Mr. V. A. Joshi, Mr. Vir Patel and Mr. Yogesh Patel i/b.
Chitnis Vaithy & Co. for Respondent No.3.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 08 OCTOBER 2025.

P.C.

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

“a) This Hon’ble Court may be pleased to quash the issuance of
Intimation of Approval (IOA) dated 03.06.2025 at Exhibit “KK” along
with Letter of Intent (LOI) dated 22.10.2024 at Exhibit “T”.

b) This Hon’ble Court may be pleased to quash the communication
dated 10.06.2025 at Exhibit “LL”.

c) Direct respondent No. 1, 2 and 3 not to act on the impugned
LOI and IOA and communication till the final disposal of this writ
petition.”

2. Learned counsel for the respondents has raised an objection to the
maintainability of this petition on the ground that there is an alternate remedy
available to the petitioner under Section 35 of the Slum Areas (Improvement And
Clearance) Act, 1956, whereby the petitioner can approach the Apex Grievance
Redressal Committee (“AGRC”) asserting his contentions as urged in the present
petition.

3. We have accordingly heard learned counsel for the parties in the present proceedings for some time.
4. Considering the complexion of the disputes, learned counsel for the petitioner has fairly stated that the petitioner be permitted to withdraw the present petition with liberty to the petitioner to approach the AGRC to seek any appropriate relief, as may be permissible in law in appropriate proceedings.
5. In the event the petitioner intends to pursue his case before the AGRC, we permit the petitioner to file such proceedings within a period of four weeks from today and if accordingly filed, the same be entertained without an objection to the limitation as the petitioner was bonafide pursuing the present proceedings.
6. We also keep open any other remedy which may be available to the petitioner.
7. All contentions of the respondents are expressly kept open.
8. Disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)