

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

WRIT PETITION NO.3740 OF 2025

Himanshu Dwarkadas Ruparelia

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Sachin Dhakephalkar i/by Mr.Abhijit Patil for Petitioner.

Mr.Prashant Kamble, AGP, for Respondent State.

Ms.Ravleen Sabharwal with Ms.Aarushi Yaav for SRA.

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

DATE: 8th October 2025

P.C.

1. This petition is filed under Article 226 of the Constitution of India

praying for following substantive reliefs :

“(a) This Hon’ble Court be pleased to issue an appropriate writ of certiorari or mandamus or any other appropriate writ, order or direction to Respondent no.2 (CEO, SRA) to decide representation in the form of complaint dated 26.12.2024 filed before it on merits;

(b) This Hon’ble Court be pleased to issue an appropriate writ of certiorari or mandamus or any other appropriate writ, order or direction calling for records and proceedings in respect for impugned LOI dated 26.10.2015 issued by Respondent no.2 and after examining the legality and validity of the same, this Hon’ble Court be pleased to quash and/or set aside the impugned LOI dated 26.10.2015;

(c) This Hon’ble Court be pleased to issue an appropriate writ of certiorari or mandamus or any other appropriate writ, order or direction to Respondent no.2 (CEO, SRA) to initiate the action by issuing show cause notice pursuant to the complainant dated 26-12-2024 issued by the Petitioner”

2. The Petitioner is primarily aggrieved by the inaction on the part of Respondent no.2 i.e. Slum Rehabilitation Authority (SRA) in not deciding their representation dated 26th December 2024 wherein the Petitioner has raised a grievance that the letter of intent (LOI) dated 26th October 2015 issued by Respondent no.2 SRA approving a slum rehabilitation scheme on the Petitioner's leasehold property has been made without obtaining Petitioner's mandatory no objection certificate as required under Sections 3, 5 11, 12 and 13 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 ('the Slum Act') which is causing grave prejudice to the Petitioner. It is the Petitioner's contention that the letter of intent which has been issued in favour of M/s.Vastu Nirman Realtors dated 26th October 2025 has been issued without calling the Petitioner for hearing or his objections and hence the Petitioner has made representation dated 26th December 2024 before Respondent no.2 SRA which is pending consideration.

3. The anxiety of the Petitioner is that such representation needs to be taken to its logical conclusion and the same therefore ought to be looked into and decided expeditiously in accordance with law.

4. In our view, considering the limited relief that the Petitioner seeks in the petition and although there being no written opposition/reply of the Respondents, considering the nature of the orders we propose to pass, no prejudice would be caused to the Respondents. The following order would serve the ends of justice :

ORDER

- (i) Respondent no.2 SRA shall consider and decide the pending representation dated 26th December 2024 in accordance with law as expeditiously as possible and preferably within a period of four weeks from the date this order is made available to the said Respondent by the Petitioner;
- (ii) Let all parties be heard;
- (iii) The writ petition is disposed of in terms of prayer clause (a). No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)