

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 3140 OF 2019

Om Shri Sai Sra Co-operative Housing Society ...Petitioner
Versus
State Of Maharashtra And 2 Ors. ...Respondents

AND

WRIT PETITION NO. 2281 OF 2021

Govind Dhondu Nakati And 74 Ors ...Petitioner
Versus
State Of Maharashtra And 8 Ors. ...Respondents

WITH

CONTEMPT PETITION NO. 48 OF 2021

IN

WRIT PETITION NO. 2485 OF 2018

Sambhaji Alu Gawde And 6 Ors ...Petitioner
Versus
Ishwarlal M. Lakhara ...Respondents

AND

WRIT PETITION NO. 7145 OF 2022

Chanmukha Hanumanta Beldor ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH

WRIT PETITION NO. 7146 OF 2022

IN

WRIT PETITION NO. 2485 OF 2018

Smt. Indira Punnaswam Devendra ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH

WRIT PETITION NO. 7147 OF 2022

IN

WRIT PETITION NO. 2485 OF 2018

Smt. Pinki Kanaidas Gupta ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 7148 OF 2022
IN
WRIT PETITION NO. 2485 OF 2018

Nathuram Hari Patil ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1319 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Smt. Chaya Dadaso Khabale ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1313 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Nandkishor Ganpat Kamble ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1317 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Yogesh Ramchandra Gokhale ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1312 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Tapon Madhai Naskar ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1311 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Manoj Kumarnalamuthi Devendra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1309 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Smt. Sangita Ganesh Pawar ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1315 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Smt. Sarejini Vishwanath Kotian ...Petitioner
Versus
State Of Maharashtra Thr.
Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1310 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Ganesh Sitaram Kamble ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1308 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Raja Kallyapillai ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1318 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Laxmi Kashinath Chinnakan ...Petitioner
Versus
State Of Maharashtra Government Of Maharashtra And Ors. ...Respondents

WITH
WRIT PETITION NO. 1307 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Dinesh Baburao Avhad ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1314 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Smt. Manjula Thangavel Devedra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

WITH
WRIT PETITION NO. 1316 OF 2024
IN
WRIT PETITION NO. 2485 OF 2018

Smt. Umamaheshwari Selvan Devendra ...Petitioner
Versus
State Of Maharashtra And Ors ...Respondents

AND
CONTEMPT PETITION NO. 24118 OF 2023

Shaikh Abdul Karim Mohd. Hanif ...Petitioner
Versus
The Deputy Collector (enc, Rem) And Competent Authority ...Respondents

AND
WRIT PETITION NO. 1534 OF 2024

Rajendra Balkrishna Chavan ...Petitioner
Versus
The State Of Maharashtra By The Government Pleader ...Respondents

AND
WRIT PETITION NO. 2072 OF 2024

Suresh Rakhmaji Gaikwad (since Deceased Through His Wife)
Nirmala Suresh Gaikwad ...Petitioner
Versus

The Secretary Slum Rehabilitation Authority ...Respondents
AND
WRIT PETITION NO. 2556 OF 2024

Shambhunath Shivram Pandey And 9 Ors. ...Petitioner
Versus
The Chief Executive Officer Sra And 4 Ors. ...Respondents

AND
WRIT PETITION (ST) NO. 15581 OF 2024

Mohammed Saurabh Choudhari ...Petitioner
Versus
The Chief Executive Officer Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (ST) NO. 15786 OF 2024

Dilip Shankar Thombre ...Petitioner
Versus
State Of Maharashtra Th. The Chief Secretary ...Respondents

AND
WRIT PETITION (ST) NO. 24795 OF 2024

Anjali Arvind Parab ...Petitioner
Versus
The Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION NO. 2229 OF 2025

Ganesh Vasant Lad And Ors ...Petitioners
Versus
Slum Rehabilitation Authority And Ors ...Respondents

AND
WRIT PETITION NO. 2518 OF 2025

Deviben Hargovind Vishnagra ...Petitioner
Versus
The State Of Maharashtra To Serve Thr.
The Government Pleader ...Respondents

AND
WRIT PETITION NO. 2706 OF 2025

Vilas Dhondur Chavan ...Petitioner
Versus
State Of Maharashtra Through The Office Of Government Pleader,
Original Side Writ Cell ...Respondents

AND
WRIT PETITION NO. 2975 OF 2025

Mulund Ashirwad Sra Co Operative Housing Society Ltd. ...Petitioner
Versus

The State Of Maharashtra ...Respondents

AND
WRIT PETITION NO. 3014 OF 2025

Ramesh Narsayya Sallagari ...Petitioner
Versus
Asst. Registrar Of Co-op. Societies (Mumbai City)
Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION NO. 3088 OF 2025

Manikam Palanivel Devendra ...Petitioner
Versus
The State Of Maharashtra
Through Its Secretary, Housing Dept. ...Respondents

AND
WRIT PETITION NO. 3459 OF 2025

Shivalik Ventures Private Limited ...Petitioner
Versus
Slum Rehabilitation Authority And Ors. ...Respondents

AND
WRIT PETITION (ST) NO. 3738 OF 2025

Ashruba Shripati Bansode ...Petitioner
Versus
Spenta Enclave Pvt. Ltd ...Respondents

AND
WRIT PETITION NO. 4193 OF 2025

Malti Kailash Singh ...Petitioner
Versus
Royal Relators ...Respondents

AND
WRIT PETITION NO. 4243 OF 2025

Bharat Sahadev Gaude ...Petitioner
Versus
State Of Maharashtra ...Respondents

AND
WRIT PETITION NO. 4355 OF 2025

Kesra Devi Somnath Gupta ...Petitioner
Versus
The State Of Maharashtra ...Respondents

AND

WRIT PETITION (ST) NO. 21472 OF 2025

Brijanandan Bicchan Sharma ...Petitioner
Versus
The State Of Maharashtra Government Pleader ...Respondents

AND

WRIT PETITION (ST) NO. 39942 OF 2025

Mohammed Maruf Khan Sajid Khan ...Petitioner
Versus
Slum Rehabilitation Authority
Through Its Chief Executive Officer ...Respondents

AND

WRIT PETITION (ST) NO. 40687 OF 2025

Sainath Prakash Zoting ...Petitioner
Versus
Slum Rehabilitation Authority Thru.
The Chief Executive Officer ...Respondents

AND

WRIT PETITION (ST) NO. 40783 OF 2025

Khan Jamil Sheralli ...Petitioner
Versus
The Chief Executive Officer, Slum Rehabilitation Authority ...Respondents

AND

WRIT PETITION (ST) NO. 40792 OF 2025

Shabana Zubair Naik ...Petitioner
Versus
The Chief Executive Officer Slum Rehabilitation Authority ...Respondents

AND

WRIT PETITION (ST) NO. 40803 OF 2025

Anilkumar Bharat Jaiswal ...Petitioner
Versus
Slum Rehabilitation Authority,
Through Its Chief Executive Officer ...Respondents

AND

WRIT PETITION (ST) NO. 40827 OF 2025

Shivshankar Babulal Rajbhar, Through His
C.a. Amar Rambharat Yadav ...Petitioner
Versus
Slum Rehabilitation Authority ,
Through Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 40828 OF 2025

Dhanauti Matadin Gupta, Thorough Her	...Petitioner
C.a. Meera M. Yadav	
Versus	
Slum Rehabilitation Authority,	
Through Its Chief Executive Officer	...Respondents

AND
WRIT PETITION (ST) NO. 40831 OF 2025

Shantabai Dashrath Ghanate	...Petitioner
Versus	
Slum Rehabilitation Authority	
Through Its Chief Executive Officer	...Respondents

AND
WRIT PETITION (ST) NO. 40833 OF 2025

Anita Rajesh Tiwari, Through Her	...Petitioner
C.a And Husband Rajesh Chandradev Tiwari	
Versus	
Slum Rehabilitation Authority,	
Through Its Chief Executive Officer	...Respondents

AND
WRIT PETITION (ST) NO. 40868 OF 2025

Yamuna Suresh Kushalkar	...Petitioner
Versus	
The Assistant Registrar Of Co-operative	
Societies, Mumbai City (sra)	...Respondents

AND
WRIT PETITION (ST) NO. 40886 OF 2025

Sarmalkar Satyavijay	...Petitioner
Versus	
State Of Maharashtra	...Respondents

AND
WRIT PETITION (ST) NO. 41091 OF 2025

Jaya Laxminarayan Gundlapelly	...Petitioner
Versus	
The Municipal Corporation Of Greater Mumbai	...Respondents

AND
WRIT PETITION NO. 154 OF 2025

Sardar Bokalchand Saini	...Petitioner
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Versus
Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION NO. 466 OF 2025

Murugan Chinnamuthu Devendra ...Petitioner

Versus
Assistant Registrar Of Co Operative Societies Mumbai City,
Slum Rehabilitation Authority ...Respondents

AND
CONT. PETITION NO. 619 OF 2025
IN
WRIT PETITION (ST) NO. 95152 OF 2020

Ali Hasan Vasil Khan ...Petitioner

Versus
M/s. Raj Enterprises Thr Its Partner Danish Sajjad Qureshi. ...Respondents

AND
WRIT PETITION NO. 996 OF 2025

Manohar B Pillai ...Petitioner

Versus
Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION NO. 1081 OF 2025

Kamladevi Kanhairam Vishwakarma ...Petitioner

Versus
Chief Executive Officer, Slum Rehabilitation Authority ...Respondents

WITH
WRIT PETITION NO. 1086 OF 2025
IN
WRIT PETITION NO. 2485 OF 2018

Kamladevi Kanhairam Vishwakarma ...Petitioner

Versus
Chief Executive Officer, Sra ...Respondents

AND
WRIT PETITION (ST) NO. 9462 OF 2025

Sunil Kumar Dhuria ...Petitioner

Versus
Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION (ST) NO. 24127 OF 2025

Shree Mahakali Tenements Sra Co-Operative
Housing Society Ltd. ...Petitioner
Versus
Chief Executive Officer Sra ...Respondents

AND
WRIT PETITION (ST) NO. 32432 OF 2025

Chandankumar Majumdar ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

AND
WRIT PETITION (ST) NO. 37240 OF 2025

Mithun Chandankumar Majumdar ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

AND
WRIT PETITION NO. 697 OF 2025

Loveji Dhanji Waghela ...Petitioner
Versus
The Chief Executive Officer,
Slum Rehabilitation Authority ...Respondents

AND
WRIT PETITION (L) NO. 40923 OF 2025

Amreen Abdullah Sharif ...Petitioner
Versus
Slum Rehabilitation Authority Through
Its Chief Executive Officer ...Respondents

401 WP/3140/2016
Mr. D.V. Saroj for the Petitioner.
Mr. Jagdish G. Aradwad (Reddy) for Resp Nos. 2 & 3.
Mr. S.B. Gore, AGP for the State.
Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.
Mr. Mahendra Kalyankar, CEO of SRA Present.
Ms. Swati Chavan, Chief Law Officer Present.
Asst.Registrar Sandya Bhavankule SRA Present.

403 WP2281/2021 aw IA/1275/2023 aw CONPW/48/2021
Mr. Yatin R. Shah for the Petitioner.
Mr. Anoop Patil for Resp Nos.4 & 5 in WP for SRA.
Ms. Vaishali Choudhari, Addl. G.P for the State.

Ms Pushpa Yadav for BMC.

404 WP/7145/2022 aw Connected matters

Mr. Aseem Naphade aw Mr. Ashish Dubey aw Mr. Ashok Chopra aw Ms. Rani Sharma aw Ajay P. aw Ms. Suchita Giri for Petitioner.

Dr. Dhruti Kapadia, AGP i/b Ms. Pratibha Gavahne, AGP for the State.

407 CONPW(L)/24118/2023, CONPW(L)/24128/2023 in CONPW/16/2021.

Mr. Himanshu Takke AGP for the State in CONPW(L)/24118/2023.

Mr. Manish Upadhye, AGP for the State in CONPW(L)/24128/2023.

409 WP/1534/2024 aw IA(L)/27456/2025

Mr. Suraj Gupte, AGP for the State.

411 WP/2072/2024

Mr. Nitin Gaware Patil aw Ms. Isha Paav for the Petitioner.

412 WP/2556/2024 aw IA(L)/17188/2025

Mr. Hamza Lakhani aw Mr. Prathmesh Bhosale i/b India Law Alliance for Intervenor/ Applicant.

Ms. Shardul Singh for the Respondent No.5.

Mr. Girish Utangale i/b Utangale & Co. For MHADA.

415 WP(L)/15581/2024

Mr. Nitin Gaware Patil aw Ms. Isha Paav for the Petitioner.

Mr. M.M. Kale i/b Yogesh Sankpal for Resp No.6.

Mr. Manisha Gawade, AGP for the State.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

416 WP(L)/15786/2024

Ms. Poonam Mital, AGP for the State.

417 WP(L)/24795/2024

Mr. Nitin Gaware Patil aw Ms. Isha Paav for the Petitioner.

Ms. Nazia Sheikh, AGP for the State.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

421 WP/2229/2025

Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejawani aw Ms. Shivangi Bhatawadekar for SRA.

422 WP/2518/2025

Ms. Madhura Deshmukh, AGP for the State.

Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp No.2/ SRA.

423 WP/2706/2025

Mr. Kapil Moye i/b Mr Kantilal H. Kanojia for the Petitioner.

Mr. Rakesh Pathak, AGP for the State.

Ms. Pooja Joshi Deshpande for Resp MHADA.

Ms Pushpa Yadav for BMC.

424 WP/2975/2025

Mr. Vidnyan Daware for the Petitioner.

Ms Pushpa Yadav for BMC.

425 WP/3014/2025

Mr. Altaf Khan aw Mr. Akash S. Bhogil aw Mr. Akash Mangalgi for the Petitioner

Mr. Manish Upadhye, AGP for the State.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

427 WP/3088/2025

Mr. Shakil Ahmed aw Ms. Misha Shaneah for the Petitioner.

Mr. Arun Panickar i/b Mr. Milind Nar for Resp No.5.

Ms. Vrushali Kabre, AGP for the State.

Mr. Mayur Khandeparkar i/b Ms. Miloni Gala for Resp No.6.

Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp No.2 to 4/ SRA.

429 WP/3459/2025

Mr. Jenish Jain i/b Mr. Uday Warunjikar for the Resp No.5.

Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

431 WP(L)/3738/2025

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

433 WP/4193/2025

Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

435 WP/4243/2025

Mr. Navin Singh for the Petitioner.
Ms. Lavina Kriplani, AGP for the State.

436 WP/4355/2025

Mr. Shakil Ahmed aw Ms. Misha Shaneali for the Petitioner.
Mr. Rakesh Pathak, AGP for the State.
Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp No.2/ SRA.

437 WP(L)/21472/2025 aw IA(L)/24536/2025

Ms. Neha R Parte for the Petitioner.
Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil aw Ms. Nidhi Chavan for SRA.
Mr. Mahendra Kalyankar, CEO of SRA Present.
Ms. Swati Chavan, Chief Law Officer Present.
Asst.Registrar Sandya Bhavankule SRA Present.
Ms. Rita Joshi, AGP for the State.

439 WP(L)/39942/2025

Mr. Gulfam Khan for the Petitioner.
Ms. Poonam Mital, AGP for the State.
Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp No.1/ SRA.
Mr. Akash S. Bhogil for Resp No.3.

440 WP(L)/40687/2025

Mr. Milind Nar i/b Ms Pinki Yadav for the Petitioner.

441 WP(L)/40783/2025

Mr. Gauraj Shah aw Mr. Ashwin Tripathi for the Petitioner.
Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

442 WP(L)/40792/2025

Mr. Ashwin Tripathi for the Petitioner.
Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

443 WP(L)/40803/2025

Mr. Altaf Khan aw Mr. Akash S. Bhogil and Akash Mangalgi for the Petitioner.
Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejawani aw Ms. Shivangi Bhatawadekar for SRA.
Ms. Vrushali Kabre, AGP for the State.

444 WP(L)/40827/2025

Mr. Altaf Khan aw Mr. Akash S. Bhogil and Akash Mangalgi for the Petitioner.
Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejawani aw Ms. Shivangi Bhatawadekar for SRA.

Mr. S.B. Gore AGP for the State.
Ms. Aparna Devkar for the Respondent.

445 WP(L)/40828/2025

Mr. Altaf Khan aw Mr. Akash S. Bhogil and Akash Mangalgi for the Petitioner.
Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejwani aw Ms. Shivangi Bhatawadekar for SRA.
Ms. Aparna Devkar for the Respondent.
Ms. Anupama Pawar, AGP for the State.

446 WP(L)/40831/2025

Mr. Akash Rebello aw Mr. Altaf Khan aw Mr. Akash S. Bhogil for the Petitioner.
Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejwani aw Ms. Shivangi Bhatawadekar for SRA.
Ms. Aparna Devkar for the Respondent.
Ms. Manisha Gawde, AGP for the State.
Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

447 WP(L)/40833/2025

Mr. Altaf Khan aw Mr. Akash S. Bhogil aw Akash Mangalgi for the Petitioner.
Ms. Aparna Devkar for the Respondent.
Ms. Varsha Sawant, AGP for the State.

448 WP(L)/40868/2025

Mr. Shakil Ahmed aw Ms. Misha Shaneali for the Petitioner.
Mr. Aditya Ghatge i/b Mr. Prakash Rohira for Resp No.3.
Ms. P.H. Kantharia for Respondent SRA.

449 WP(L)/40886/2025

Ms. Poonam Mital, AGP for the State.

450 WP(L)/41091/2025

Ms. Nidhi Chauhan i/b Mr. Hitendra Gandhi for the Petitioner.
Ms Pushpa Yadav for BMC.

451 WP/154/2025

Ms Jennifer Sagayarajan for the Petitioner.
Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.
Mr. Mahendra Kalyankar, CEO of SRA Present.
Ms. Swati Chavan, Chief Law Officer Present.
Asst.Registrar Sandya Bhavankule SRA Present.

452 WP/466/2025

Mr. Shakil Ahmed aw Ms. Misha Shaneali for the Petitioner.
Mr. Arun Panickar i/b Mr. Milind Nar for the Respondent No.3.
Mr. Anoop Patil for the Resp Nos. 1 & 2 for SRA.

454 WP/996/2025

Ms Jennifer Sagayarajan for the Petitioner.

Mr. Arun Panickar for Resp No.3.

455 WP/1081/2025 aw IA(L)/14487/2025 aw WP/1086/2025

Mr. Gaurav Srivastava aw Mr. Pratik Irapatgire for Resp Nos.3 & 4.

Mr. Amogh Singh aw Mr. Ashwin Tripathi for the Petitioner.

Ms. Ravleen Sabharwal aw Ms. Aarushi Yadav for Resp SRA.

458 WP(L)/9462/2025

Mr. Jennifer Sagayarajan for the Petitioner.

Mr. Amogh Singh aw Mr. Santosh Pathak aw Mr. Kailash Pathak i/bLaw Origin for Resp No.3.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

459 WP(L)/24127/2025

Mr. Jennifer Sagayarajan for the Petitioner.

Mr. Birendra Saraf, Senior Advocate aw Mr. Vishwanath Patil for SRA.

Mr. Mahendra Kalyankar, CEO of SRA Present.

Ms. Swati Chavan, Chief Law Officer Present.

Asst.Registrar Sandya Bhavankule SRA Present.

462 WP(L)/32432/2025

Mr. Altaf Khan for the Petitioner.

Mr. Varsha Sawant AGP for the State.

Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejawani aw Ms. Shivangi Bhatawadekar for SRA.

Mr. Abhishek Kothari aw Ms. Deepanjali Mishara aw Mr. Rahul T. For Resp No.4.

463 WP(L)/37240/2025

Mr. Altaf Khan for the Petitioner.

Ms. Neha Bhosale aw Ms. Anuja Divadkar aw Ms. Laveena Tejawani aw Ms. Shivangi Bhatawadekar for SRA.

Mr. Varsha Sawant AGP for the State.

Mr. Abhishek Kothari aw Ms. Deepanjali Mishara aw Mr. Rahul T. For Resp No.4.

304 WP/697 / 2025

Mr. Manish N. Bijutkar for the Petitioner.

Ms. Dhruti Kapadia a/w Ms. Kavita Dhanuka for SRA.

Ms. Rama Subramaniam for Respondent No. 3.

507 WPL/40923/2025

Mr. Shehzad Naqvi a/w Ms. Aafrin Sayed i/by Naqvi Juris for the Petitioner.

Mr. Vishwanath Patil for the SRA.

Mr. Aseem Naphade a/w Chirag Balsara i/by Sadaf Maldar for Respondent No. 4.

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

DATE: 17th December 2025

P.C.

1. The issues which arise for consideration in the present proceedings are *inter alia* in regard to non-payment of transit rent to the Petitioners by the concerned developers, who are undertaking “slum redevelopment projects.” Such issues as also appreciated on behalf of the SRA by Dr. Saraf, learned Senior Advocate, as instructed by Chief Executive Officer, who is present in Court, in our opinion, ought not come to the Court. An appropriate and urgent attention to these issues at the departmental level needs to be devoted. We are informed by Dr. Saraf, that the concerned officer, who normally looks into these grievances is the Assistant Registrar of Societies – SRA. However, from the large number of proceedings reaching this Court on such issues, it appears that an effective mechanism is not in place and/or there is something which is drastically amiss. Considering the issues deliberated before the Court today, Dr. Saraf, would fairly submit that the Chief Executive Officer can evolve a more effective mechanism by setting up “Special Cells” of designated Officers which needs to more than one Special Cell, which can look into these issues in the spirit of the orders passed by us in Writ Petition (L)

No. 32632/2025 **Vijay N. Gujar and Others Vs. State of Maharashtra and others**

as directed in paragraph Nos 8, 9 and 10, which reads thus:

“8. At this stage, we are pointed out that there is a recent amendment by incorporating Section 33B to the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 vide Mah. 42 of 2025 with effect from 29 August, 2025, which in fact would take care of the concerns which we have expressed. However, under the said provision, actions needs to be taken and the provisions ought not to remain in the statute book. Section 33B of the Act reads thus.

“33B. (1) The eligible slum dwellers of the Slum Rehabilitation Scheme or Slum Redevelopment Project, may apply to the Chief Executive Officer or the Competent Authority, as the case may be, for recovery of rent in lieu of transit accommodation due from the developer of such Scheme or Project, in such manner and accompanied by such fees, as may be determined by the authority.

(2) Where the Chief Executive Officer or the Competent Authority, as the case may be, is satisfied that the developer of any Slum Rehabilitation Scheme or Slum Redevelopment Project has defaulted in paying rent in lieu of transit accommodation to the eligible slum dwellers as agreed, the Chief Executive Officer or the Competent Authority may, after making such enquiry in respect of any amount due, on his own motion or on receipt of the application from the eligible slum dwellers, issue an order for the recovery of such amount within such stipulated time as may be specified in the order.

(3) The amount specified in every such order for recovery issued by the Chief Executive Officer or the Competent Authority, as the case may be, if not paid by the developer within the time specified in the order, it shall be recoverable as an arrears of land revenue in accordance with the law for the time being in force:

Provided that, if the person against whom the order for recovery is issued, is a company or a limited liability partnership having no sufficient property to satisfy the amount due under recovery order, then such amount shall be recovered from the personal property of the directors or partners of such company or firm, as the case may be.”

9. Thus, there is now a clear mandate of law, which needs to be meticulously observed. It is in the wisdom of the Chief Executive Officer, appropriate action in that regard now be taken.

10. **Before parting, we may observe that the nature of the grievances of the slum dwellers as raised in the petition on default in payment of transit rent are reaching not only the Court but also the grievance redressal forums. Although proactive steps in this regard are taken by the SRA to secure advance deposits of transit rent, however, it appears to us that the said directives cannot remain to be paper directives and the policy in that regard**

need to be effectively implemented. Such grievances which are legitimate/genuine, ought not to come to the High Court merely because of the apathy and inaction on the part of the Competent Officers of SRA who are not deciding such representations which are in fact touching the rights of the slum dwellers under Article 21 of the Constitution, i.e., Right to Shelter, which would be otherwise be available by ensuing timely payment of transit rent. Such rights cannot be defeated by such inaction of these officers. We, accordingly direct that no sooner such complaint is received, the same ought to be decided in accordance with law within a period of 15 days, failing which it would be required to be considered to be a breach of the fundamental rights of the slum dwellers at the hands of the slum authorities and the concerned officer accountable. Let a circular in that regard be issued by the CEO and forwarded to all the Competent Officers who are supposed to entertain such complaints and decide the same. This more for the reason that the developers cannot take a position that they would undertake the scheme, not pay the transit and utilize the money towards the transit rent for other purpose thereby depriving the slum dwellers of their legitimate amounts. This is neither the scheme under the Development Control & Promotion Regulations nor could be recognized under any prudent norms and rationale recognized under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 or the rules which are framed by the Slum Rehabilitation Authority. Hence, we sound a note of caution to the Chief Executive Officer of SRA that if any of these matters remain undecided, the Court would be required to take a strict view of such issues and pass appropriate orders including to hold the Competent Officers who are showing laxity in dealing with such complaints including in many cases overlooking the orders passed by the Competent forums/Court.”

(emphasis supplied)

2. Dr. Saraf would also submit that in some cases time limit of 15 days for the issue to be decided would not be sufficient. In our opinion, in a given case, for reasons to be recorded the time limit can be extended by further 15 days. However, this ought not to result in any further delay in the disposal of such applications, as we have already observed that such issues touch upon the basic rights of the slum dwellers namely the right to shelter which is a concomitant of Article 21 of the Constitution of India.

3. Insofar as the writ petitions as listed today are concerned, we permit the learned Advocate for the SRA to prepare a tabular statement, considering the plea as urged on behalf of the SRA, that it is likely that in some cases, the outstanding transit rent has already been deposited by the developers with the SRA, and what would be required to be undertaken is the disbursement. In respect of some cases the parties would be required to be heard and appropriate orders passed by the Special Cells. Let such categorization be placed on record on the adjourned date of hearing, so that further appropriate orders on these Petitions can be passed.

4. We are also of the considered opinion that, considering persistent defaults being made by the developers in payment of transit rent to the slum dwellers and the plight of the slum dwellers being required to run from pillar to post in receiving such payment including to resort to litigation, the SRA needs to issue an appropriate circular to prevent such situations, by freezing a part of the free-sale component, which can be permitted to be dealt only after the construction of the rehabilitation building is completed, and all issues relating to payment of transit rent are duly addressed. Such freezing of the premises needs to be of the immediate lower floors, depending on the size of the floor and the approximate transit rent the developer would be required to pay to the slum dwellers, during the period of completion of the rehabilitation building. In such context, we may further observe that action under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, being resorted to terminate the developer in every case, may not be feasible. It may generate litigation although in

deserving cases such action necessarily would be required to be resorted. This also for the reason that the slum dwellers cannot be made to wait for payment of transit rent, as they are already displaced from their premises and are required to take the brunt caused by the defaults of non-payment of transit rent. Thus, even if recourse is taken to such provisions, any delay in the payment of transit rent is not an acceptable proposition and a sufficient safeguard / security needs to be devised at the very inception of the slum redevelopment project.

5. While parting we may observe that the endeavour of the SRA needs to be to bring about a situation that such disputes which are directly touching the livelihood of the slum dwellers are resolved at the departmental level by the SRA, and as far as possible no litigation is generated on such issues from the orders passed by the SRA and/or the view of the officers would be taken. This more importantly when the complaints of the nature of transit rent are some of the very basic issues, which need to be promptly and effectively dealt by the officials of the SRA and the grievances resolved. The CEO SRA has sufficient powers to evolve a robust mechanism and avoid litigation on such issues as observed hereinabove.

6. In our opinion, developers undertaking such projects must also remain alive to these basic rights of the slum dwellers and to their corresponding obligation, not to commit any default in the payment of transit rent or in any permissible enhancement entitled to the slum dwellers, as stipulated under the circulars issued by the Slum Rehabilitation Authority. The developers also need to be alive to the

situation that the slum dwellers with their limited financial resources cannot be permitted to individually litigate as certainly in pursuing such applications/litigation is a serious prejudice, financial and otherwise, caused to the slum dwellers. However, no prejudice would be caused much less of any magnitude to the developer in defending such litigation. We may sound a note of caution that in the event such cases reach before the Court for adjudication, in which the slum dwellers are found to be correct in their contention, that there is an illegal default on the part of the developer, the Court would be required to take a stern view of the matter including to compensate the slum dwellers by awarding penal costs. The reason being that for the developer, the project is a commercial venture, such a project cannot be permitted to be taken forward while arrears of transit rent remain unpaid or when the amounts are being utilised by the developer, not in payment of transit rent but for other purposes as observed by this Court in several orders passed in similar proceedings. Such approach on the part of the developer not only amounts to breach of contract/development agreement, but also breach of the rules and regulations, under which the developer would be required to undertake the Slum Rehabilitation Project. Hence, when in such cases, matters are brought to the Court, it would become necessary to impose compensatory costs being awarded in favour of the slum dwellers. We accordingly caution the developers who tend to be reckless on such aspects, who with impunity avoid their obligations towards the slum dwellers. We would also direct the SRA to deal sternly with such developers who are guilty of repeated defaults in the payment of transit rent, including, if the circumstances of the case so warrant, by attaching the free-sale component. Failing

such action, there would be no deterrent, and such defaults on the part of these developers would be a routine affair, leading to further litigation. In our opinion, such litigation in the first place ought not to arise.

7. We also have another category of cases wherein issues on allotment of the slum tenements has reached this Court. These are cases where long back the projects are completed, however the persons who are eligible are yet to be put in possession of the permanent alternate tenements for number of reasons, for example either they are occupied by illegal occupants, inducted by the developers or the societies and/or the illegal occupants being inducted by third parties. In the scheme of things as it stands, it cannot be a situation that the eligible slum dweller is deprived of the possession of the tenements unless the slum dweller is himself guilty of having entered into any agreement and/or a manner not known to law has created third party rights inducting such occupants.

8. We may recall that in such cases under the orders of the Court the SRA has taken action against the illegal occupants and has recovered possession. Such actions are required to be taken on a regular basis, as we are of the clear opinion that slum dwellers cannot be deprived, that too for several years, of their legitimately allotted premises merely because of illegal occupancy of their legitimately allotted premises. Dr.Saraf has appreciated such concerns. He would fairly submit that all issues in such category of matters also need not reach the Court, and would be required to be effectively examined and dealt at the level of

the SRA. He would also submits that such grievances need to be addressed expeditiously. We would request Chief Executive Officer to form an appropriate “Special Cell”, even in regard to such cases which can effectively consider the grievances of the slum dwellers on such counts, who are deprived of their legitimate tenements.

9. Let the position in this regard be clarified on the adjourned date of hearing on an affidavit which be filed on the issues as discussed in this order.

10. We accordingly adjourn the proceedings to **23rd December 2025 at 11 a.m.**, to be listed on a separate board as per today’s listing.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)