

Prajakta Vartak

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

WRIT PETITION NO. 4355 OF 2025

Kesra Devi Somnath Gupta

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

PRAJAKTA
SAGAR
VARTAK

Digitally signed
by PRAJAKTA
SAGAR VARTAK
Date: 2025.12.03
18:25:29 +0530

Mr. Shakil Ahmed with Ms. Babita Kesharwani and Ms. Prabha Yadav for Petitioner.

Mr. S. B. Gore, AGP for State.

Ms. Ayesha Pinto i/b. Sammya Partners for Respondent No.3.

Ms. Ravleen Sabharwal with Ms. Aarushi Yadav for Respondent No.2/SRA.

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

DATE: 03 DECEMBER 2025.

P.C.

1. Learned counsel for respondent no.3 is unable to inform the Court as to how there is unauthorized occupation in the slum building constructed by respondent no.3, in respect of which a notice dated 26 November 2025 under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966 has been issued by the SRA, in which the following schedule has been set out:-

“ **SCHEDULE**

Unauthorized occupation of Gr. Floor + 7th floors Wing A, B, C, D, E & F of Composite Building 1, 2 & 3, Basement+ stilt+ Gr. Floor+ 15th floor of Rehab Building No. 4 (Wing A, B & C) in Indira Nagar Hutment Dwellers CHS Ltd. on the plot bearing C.S. No.11(pt) of Sion Koliwada Division in F/North Ward without obtaining Occupation Certificate from the SRA, Brihanmumbai.”

2. We direct Respondent No. 3 to point out as to how such illegal occupants were inducted and why such illegal occupation was not intimated to the SRA, despite the lawful allotment of the tenements being made to those whose names are certified in Annexure-II with regard to the project in question.

3. At the request of learned counsel for respondent no.3, stand over for tomorrow i.e. **04 December 2025.**

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)