
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4908 OF 2024

Ravindra Vinayak Gadre

....Petitioner

Versus

State Of Maharashtra & Ors.

....Respondents

Mr. Nishant Sangle, *for Petitioner.*

Smt. D.S. Deshmukh, *AGP for State.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 28, 2026

ORDER :

1. This Petition impugns an Order dated June 17, 2021 passed by Respondent No.2, Grievance Redressal Committee (***“Impugned Order”***) under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (***“the Slums Act”***).

2. The Impugned Order disallows the claim of the Petitioner for a rehabilitation unit in respect of the slum in question on the premise that the Petitioner has not provided a single document to show his possession of the premises prior to 2016. It is indicated in the Impugned Order that the Petitioner’s niece, one Vaibhavi Gadre, was found in the premises at the time the survey was conducted and her

name was mentioned in Annexure II against Hut No.1750. The said Vaibhavi Gadre was also found to be in possession of Hut No.1744 and had been declared eligible in the respect of rehabilitation in lieu of Hut No.1744.

3. Therefore, the Petitioner was held to be ineligible, and the appellate forum, which passed the Impugned Order, has indicated that there is not a single document to indicate the Petitioner's interest prior to 2016.

4. A close perusal of the Impugned Order would indicate that the Petitioner did bring to bear a will made by his brother, Vijay Vinayak Gadre, in his favour which alludes to Room No.962 bearing Structure No.378 as being bequeathed to the Petitioner. This is said to correspond to the entitlement denied on account of the niece being found in possession of two units. The said Vijay Vinayak Gadre is said to have passed away some time in 2013 and a probate is also said to have been obtained.

5. Learned Counsel for the Respondents states that at the relevant time of survey, the probate had not been in place and should the matter be remanded with the probate being brought on record, the matter would be re-considered by the Respondents.

6. The Respondents shall deal with the aforesaid facet of the matter as expeditiously as possible, preferably within a period of eight weeks from today.
7. In these circumstances, the Petition is *disposed of by way of remand* directing the Respondents to consider the matter afresh from the perspective of the prior interest in the premises (prior to 2016), with liberty to the Petitioner to bring the probate on record.
8. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]