

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2190 OF 2026

Dajiram Mahadeo Rongte

..Petitioner

Versus

State of Maharashtra Through The Principal
Secretary and Ors

...Respondents

Mr. Jeet Gandhi, for the Petitioner.

Mr. Yatin S. Khochare, 'B' Panel Counsel, for Respondent Nos. 1 and 2-
State.

Adv Geeta R Shastri, for Respondent No.3-SRA.

CORAM: N. J. JAMADAR, J.

DATE : 30th MARCH 2026

P.C.:

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 27th April 2018, passed by the Appellate Authority, under Section 35 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 ("the Slum Act, 1971"), whereby the Appeal preferred by the Petitioner against an order passed by the Deputy Collector under Sections 33 and 38 of the Slum Act, 1971, came to be dismissed, for want of prosecution.

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3. By the said order dated 27th April 2018, passed on the Application of the Developer, the Petitioner as well as Mr. Pandurang Kashinath Garibe, Respondent No. 7 herein, the rival claimants, were directed to vacate the subject hut, keeping open the issue of eligibility.

4. Since the said order has been implemented and having regard to the time-lag, at this stage, there is no propriety in entertaining the Petition. However, the Petitioner would be at liberty to agitate the issue of eligibility and entitlement for the permanent alternate premises under the Rehabilitation Scheme in an appropriate proceeding.

5. Keeping open the option to avail the remedies, as available in law, the Petition stands disposed.

[N. J. JAMADAR, J.]