



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.15856 OF 2025**

Christopher Cyril Correia ... Petitioner
versus
Apex Grievance Redressal Committee and Ors. ... Respondents

Mr. Mukesh Tiwari, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 17 FEBRUARY 2026

P.C.

1. Heard the learned Counsel for the Petitioner.
2. By this Petition under Article 227 of the Constitution of India, the Petitioner assails an order dated 28 January 2025 passed by the Apex Grievance Redressal Committee in Appeal No.105 of 2023, whereby the appeal preferred by the Petitioner against an order dated 15 December 2022 passed by the Additional Collector (E/R) and Appellate Authority under Section 35 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, came to be dismissed.
3. Late Cyril Michael Correia, father of the Petitioner, was declared eligible for the benefit under the slum rehabilitation scheme of Amrapali CHS Limited situated at Kole-Kalyan, Tal. Andheri. The name of the Petitioner's father was included in Annexure II at Sr. No.171. Mr. James Lobo (R4) lodged a complaint with the Competent Authority, SRA, that late Cyril M. Correia and

Chandan Singh Meher had obtained benefits under the SRA scheme for Kalina Sangam CHS as well as Amrapali CHS. After having been allotted a tenement in Kalina Sangam CHS, late Cyril Correia got his name fraudulently inserted in Annexure II for Amrapali CHS on the basis of the self-same documents and availed the benefit under the said SRA scheme as well.

4. By an order dated 15 December 2022, the Appellate Authority declared late Cyril M. Correia and Chandan Singh Meher permanently ineligible for the benefit under Amrapali CHS Ltd. The Appellate Authority noted that, after allotment of the tenement in Kalina Sangam i.e. Flat No.A-303, late Cyril Correia had sold the said tenement to L.C.A. Joseph and the latter had, in turn, transferred the said tenement to Kiran and Harshada Dumbre, who had further transferred the said flat to Shivram Laxman Pawar, whose name was included in the list of members of the society and in whose favour share certificate was also issued by the Society. Thus, having availed the benefit of the SRA scheme in respect of Kalina Sangam CHS, late Cyril Correia could not have again obtained the benefit under the slum rehabilitation scheme for Amrapali.

5. Being aggrieved, the Petitioner preferred an appeal before the Apex Grievance Redressal Committee. It was contended that the Petitioner had placed on record documents to demonstrate that the Petitioner had not applied for, and availed, the benefit under the SRA scheme for Kalina

Sangam CHS. Without delving into those documents, the Appellate Authority had passed an order dated 15 December 2022. The Apex Grievance Redressal Committee was not persuaded to accede to the aforesaid contentions of the Petitioner, and reiterating that, late Cyril Correia had transferred the tenement i.e. Flat No.A-303 allotted to him in Kalina Sangam CHS, the Apex Grievance Redressal Committee dismissed the Appeal.

6. Being further aggrieved and dissatisfied, the Petitioner has invoked the writ jurisdiction.

7. Mr. Tiwari, learned Counsel for the Petitioner, would urge that, both the authorities have not considered the material placed on record by the Petitioner to show that he was legitimately entitled to the benefit under the slum rehabilitation scheme for Amrapali CHS. By mis-using the documents pertaining to the late father of the Petitioner, a tenement was shown to have been allotted in the name of the father of the Petitioner in Kalina Sangam CHS.

8. The submissions do not deserve to be countenanced. Both the authorities have recorded concurrent finding of facts based on objective material to show that late Cyril Correia had availed the benefit under the SR scheme for Kalina Sangam CHS. After availing the benefit, late Cyril Correia had transferred Flat No.A-303 in Kalina Sangam CHS to L.C.A.Joseph, which was further transferred to successive transferees.

9. In the face of the aforesaid material, the submission on behalf of the Petitioner that the documents pertaining to late Cyril Correia were misused and Flat No.A-303 was shown to have been allotted in the name of late Cyril Correia fraudulently, does not hold any ground.

10. In view of the provisions contained in Regulation 33(10)(VI)(1.10) of DCR, any person who can be held eligible under more than one slum rehabilitation scheme, shall be held eligible in only one scheme. The authorities were, thus, justified in holding that, late Cyril Correia could not have again availed the benefit under the SRA scheme for Amrapali CHS after having been allotted a tenement i.e. Flat No.A-303 in Kalina Sangam CHS, in view of the bar contained in DCR 33(10). No interference is, thus, warranted in the exercise of the supervisory jurisdiction.

11. The Writ Petition, thus, stands dismissed.

(N.J.JAMADAR, J.)