

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17418 OF 2025

Jai Shiv Sai SRA Co-operative Housing Society Ltd. ...Petitioner
Versus
The State of Maharashtra & Ors ...Respondents

Mr. Dnyaneshwar @ Dinesh Bhosale for Petitioner.

Mr. Shruti D. Vyas, Addl.G.P. a/w Savita Prabhune, AGP for Respondent-State.

Mr. Abhijit Patil for Respondent No.4.

Ms. Ravleen Sabharwal a/w Aatish Tayade & Aarushi Yadav for Respondent No.3.

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

DATE: 12th FEBRUARY 2026

P.C.

1. The Petitioner is a slum society which is stated to have appointed Respondent No. 4 as the developer to undertake redevelopment of the subject slum property. The development agreement between the parties is dated 9th February 1997 (Exhibit "A").

2. The case of the Petitioner is that the developer failed to undertake redevelopment work in regard to the slum in question. Consequently, several proceedings were initiated from time to time, including suo motu proceedings by the competent authorities. It is the case of the Petitioner that, in view of prolonged inaction of the developer/Respondent No.4, the society resolved to terminate appointment of Respondent No. 4 so as to appoint a new developer. Such

resolution was passed on 11th October 2025, against the backdrop of earlier attempts and orders passed by the Rehabilitation Authority in that regard.

3. Pursuant to the said resolution, the Petitioner filed an application before the Chief Executive Officer (CEO) of the Slum Rehabilitation Authority (SRA) under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, seeking substitution of Respondent No. 4 as developer and for approval to appoint a new developer. It appears from the Roznama that the said application of the Petitioner was heard and reserved for orders on 6th November 2025 by the CEO, SRA.

4. If the contention of the Petitioner is correct that redevelopment has not been completed since the year 1997, it is imperative that the Petitioner's application be decided expeditiously as more than four months have elapsed since the matter was reserved for orders.

5. We may refer to the direction of this Court in **Yash Developers v. Harihar Krupa Coop. Housing Society Ltd.**, [2022 SCC OnLine Bom 3712] wherein a developer who had failed to take substantial steps for nearly 20 years was removed pursuant to orders of the Apex Grievance Redressal Committee (AGRC), which were upheld by this Court. The said direction of this Court was confirmed by the Supreme Court, in a significant judgment in **Yash Developers v. Harihar Krupa Coop. Housing Society Ltd.** [(2024) 9 SCC 606]. The observations of the Court in the said decision would be a matter for consideration by the CEO, SRA while deciding the present application if what is being canvassed on behalf of the Petitioner is correct.

6. In the aforesaid circumstances, without expressing any opinion on the merits of the matter, we direct the CEO, SRA, to pronounce orders on the Petitioner's application filed under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, as expeditiously as possible and in any event within a period of 15 days from the date on which a copy of this order is made available to him.

7. All contentions of the parties are expressly kept open.

8. The Petition is disposed of in the aforesaid terms. No order as to costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)