

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Writ Petition No.3982 of 2026

1. Kiran Bhulan Shigvan,
and 69 Others ...Petitioners

Versus

1. Slum Rehabilitation Authority,
Having its address as Slum Rehabilitation
Authority, Anant Kanekar Marg,
Bandra (East), Mumbai
2. Chief Executive Officer
Slum Rehabilitation Authority
3. Sai Siddharth Developers
Dadar, Mumbai.
4. Assistant Registrar Co-operative
Department,
Slum Rehabilitation Authority ...Respondents

Mr.Mayur Khandeparkar i/b. Mr.Yogesh Sankpal, Advocate for
Petitioners.

Ms.Aarushi Yadav a/w Ms.Rutuja Shedge i/b. Ms.Ravleen Sabharwal
(Standing Counsel) for Respondents–SRA.

Mr.Omkar Kulkarni, Advocate for Respondent No.3.

Smt.Tanu N. Bhatia, AGP, for Respondent–State.

**CORAM : M.S. KARNIK &
S.M. MODAK, JJ.**

Dated : 30th MARCH 2026

ORDER (PER S.M.MODAK, J.)

1. Mainly there are two prayers made in this Writ Petition viz. (i) to issue a writ of mandamus to Respondent No. 1 – Slum Rehabilitation Authority and Respondent No.2, its Chief Executive Officer to hear and decide pending proceedings initiated as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (for short ‘the Slum Act’) and (ii) to issue directions to those authorities to consider and accept representation dated 06/03/2026 filed by the Petitioners.

2. On this background, we have heard Mr. Khandeparkar, learned Advocate for the Petitioners, Mr. Kulkarni for Respondent No. 3, Mr. Yadav for Respondent-SRA and Ms. Bhatia, learned AGP for the Respondent – State.

3. After hearing them and going through the record, we find that instead of issuing directions to decide the relevant representation, it will in the fitness of the things to issue directions to two Respondents to hear and decide the pending proceedings. It will be relevant to consider few of the facts which are material prior to passing the

relevant directions.

4. The Petitioners are slum occupants of a slum situated at CS No.52, Dr. Thadani Marg, Worli, Mumbai. They have formed a Co-operative Housing Society by name Anand Nagar Rahiwasi Seva Sangh (proposed). The Petitioners are facing with lot of difficulties in the said slum settlement and there was no hygienic living environment. There is no proper sewerage line connection and as a result, there is dirty and contaminated water, due to which the residents are facing with lot of health issues and that is why they are in badly need of that area to be redeveloped by applying for Slum Rehabilitation Scheme.

5. Though initially the Petitioners have appointed a Developer, he could not make much progress. It is the contention of the Petitioners that they have resided in that hutment in a precarious condition for more than 14 years and there is no much progress. In fact, the authorities of Slum Rehabilitation have moved a proposal as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and common notice was issued thereby taking action in respect of 517

Dormant Schemes. However, this Court in Writ Petition (L) No. 14017 of 2022 directed to issue individual notices to the Developers. The Developer appointed initially by the Petitioners is one of such 517 Developers.

6. After the said direction, the Tahsildar, SRA has issued a notice to the Co-operative Society of the Petitioners and the Developer – M/s. Sai Siddharth Construction-Respondent No.3 and the Architect - M/s. S. Consultant. Notice was issued as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act. There are several such notices informing dates of hearing annexed to the Petition and even the Petitioners have annexed copies of the noting of such proceedings and notings were about the hearing and the matter was adjourned.

7. It is the grievance of the Petitioners that even though the proposal is moved as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act and even though several hearings were conducted, there is no further progress in that direction. That is why, they have made a representation to the authorities of Slum

Rehabilitation Authority in March, 2026.

8. It is very well true that the Authorities of SRA have initiated *suo moto* proceedings as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act. In that proceeding only, notice is issued as mentioned above and now the Petitioners who were expecting the early decision so that their slum can be redeveloped and hence, present Petition.

9. It is true the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act empowers the Competent Authority to determine to redevelop the land at its own cost if the conditions mentioned therein are fulfilled. One of such conditions is if redevelopment has not taken place within the time. In this case, Petitioners contend that earlier Developer has not started with the redevelopment and they have waited for 14 years and that is why they are expecting a decision as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act.

10. Considering the facts and circumstances of the case, we feel

that certainly directions can be issued to Respondent No. 1 – Slum Rehabilitation Authority and Respondent No.2 – Chief Executive Officer to take decision on the proposal pending as mentioned above. Hence, we are inclined to pass following Order :-

ORDER

- (i) Respondent Nos. 1 and 2 are hereby directed to take a decision as per merits in respect of proceedings pending with them initiated as per the provisions of Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, after completing the procedure as contemplated as per the provisions of the said Act.
- (ii) They are directed to take decision within the period of 12 weeks from the date of communication of this order.
- (iii) They should make an endeavour to take a decision within that period and for any reason, if the decision cannot be taken, they are at liberty to ask for extension of time by making out a ground for extension. It will be decided on merits.
- (iv) They are directed to hear all the necessary parties prior to taking a decision and to follow the procedure prescribed as per the said Act.
- (v) The Petitioners are directed to communicate a copy of this Order to the Respondent Nos. 1, 2 and 3.

11. In view of the above, the Writ Petition stands disposed of.

(S.M. MODAK, J.)

(M.S.KARNIK, J.)