

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.478 OF 2026

Devchand Vishnu Pol ...Petitioner
Vs.
The Dy. Collector/Competent Authority-1 & Anr. ...Respondents

Adv. Rajesh Kachare a/w Adv. S.M. Suryawanshi, for the Petitioner.
Adv. Aarushi Yadav a/w Adv. Rutuja Shedge i/by Adv. Ravleen Jabharwal
for Respondent Nos.1 & 2 (Standing Counsel -SRA).

**CORAM : M. S. KARNIK AND
SHYAM C. CHANDAK, JJ.
DATE : 23rd MARCH, 2026.**

P.C.:-

- 1) At the outset, learned Counsel for the Petitioner seeks leave to amend to add prayer clause (a-1) in the Petition.
- 2) Leave granted. Amendment be carried out forthwith.
- 3) Heard learned Counsel for the Petitioner.
- 4) The Petitioner challenges the Order dated 1st December, 2025 passed by the Competent Authority-1 of SRA rejecting the Application made by the Petitioner No.2 to include his name in the Annexure-II. The impugned Order records that, though some documents are submitted by the Petitioners, they are not sufficient to consider the case of the Petitioner for inclusion of his name in the Annexure-II.

5) Learned Counsel for the SRA supported the impugned Order. It is submitted that, after considering all the materials on record that the impugned Order has been passed. It is submitted that the Petitioner has failed to produce any document to indicate that a case is made out for inclusion of the Petitioner's name in Annexure-II. For all these reasons, it is submitted that the Petition be dismissed.

6) We have carefully perused the impugned Order which only records that the documents produced by the Petitioner are not sufficient to make out the case for inclusion of his name in Annexure-II. In paragraph No.7 of the Petition, Petitioner has stated that :-

"7. The petitioner has all documentary evidence regarding the existence of his structure. In the slum plan the structure of petitioner was included at serial number 137. The petitioner has following documents regarding the authenticity of his structure such as

- a. The copy of survey slip for the year 2000 conducted by the Mumbai Municipal Corporation.*
- b. Copy of election identity card for the year 1995.*
- c. Copy of certificate given by BEST for authenticating the electric connection of the petitioner structure.*
- d. The copy of electricity bill dated December 2010.*
- e. The copy of telephone bill dated 5th October 1999.*
- f. The copy of mobile bill dated 3rd October 2005."*

7) Thus, we find as none of the documents referred to and which have been produced by the Petitioner along with the Application have been

adverted to or dealt with by the Competent Authority. In such view of the matter, the impugned Order dated 1st November, 2025 is quashed and set aside.

8) The matter is remanded to the Competent Authority for considering the Application made by the Petitioner referred to in the impugned Order afresh on its own merits and in accordance with law after considering the documents relied upon by the Petitioners. The Application to be decided on its own merits within a period of four weeks from the date of communication of this Order.

9) Petition stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

(M. S. KARNIK, J.)