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

PUBLIC INTEREST LITIGATION NO. 109 OF 2019

WITH

CONTEMPT PETITION IN PIL(L) NO. 3760 OF 2023

IN

PUBLIC INTEREST LITIGATION NO. 109 OF 2019

WITH

PUBLIC INTEREST LITIGATION NO. 83 OF 2019

WITH

WRIT PETITION NO. 1292 OF 2018

Vijendra Kumar Rai

... Petitioner

vs.

State of Maharashtra and Ors

... Respondents

Mr. Vijendra Kumar Rai, Petitioner-in-person present in
CONPPL/3760/2023 and PIL/109/2019.

Mr. L. T.Satelkar, AGP for Respondents/State in PIL/109/2019.

Mr. Sukanta Karmakar, AGP for Respondents/State in
PIL/83/2019.

Mr. Amit Shastri, AGP for the Respondents/State in
WP/1292/2018.

Mr. Paras S. Gosar i/b. Mr. Jayesh R Vyas for Respondent no. 3
in CONPPL/3760/2023 and Respondent no. 17 in
PIL/109/2019.

Mr. D. P. Singh a/w. Mr. Y.R. Mishra for Respondent no. 22 in
PIL/109/2019.



Mr. A. Y. Sakhare, Senior Advocate a/w. Mr. Vijay D. Patil for Respondent no. 1 and 2 -SRA in CONPPL/37609/2023 and Respondent no. 6 SRA in PIL/109/2019.

Mr. Jagdish G. Reddy for Respondent nos. 7 to 13 in WP/1292/2018 and Respondent nos. 13 to 16 in PIL/83/2019.

Ms. Rebecca Gonsalvez, Amicus Curiae in PIL/109/2019 and PIL/83/2019.

Ms. Oorja Dhond i/b. Mr. S. K. Sonawane for the Respondent nos. 3 and 4-MCGM.

Mr. Milind Sathe, Senior Advocate a/w. Mr. Bhushan Deshmukh, Mr. Sakeeb Shaikh, Ms. Alfiya Diamondwala and Mr. Pradeep Jain i/b. M/s. Diamondwala & Co. for Respondent nos. 9 to 16 in PIL/109/2019.

Ms. Viloma Shah i/b. M/s. AVP Partners for Respondent no. 21 in PIL/109/2019.

**CORAM : S.V. GANGAPURWALA, ACJ. &
SANDEEP V. MARNE, J.**

DATED : 23 FEBRUARY, 2023

P.C. :-

1. We have heard the party in person, so also the learned Senior Advocates for the Respondents.

2. In the Contempt Petition the prima donna contention is about non-adherence to the orders passed directing filing of affidavits from time to time and so also the comprehensive



affidavit. It has been submitted there is a delay in filing affidavits, however the affidavits have been filed.

3. As far as the merits of the contention with regard to rehabilitation of the slum dwellers are concerned the same will have to be gone into.

4. We would be considering PIL on its merits as the Court would be concerned with rehabilitation of the slum dwellers. SRA is a Statutory Authority. The SRA so also the developers shall place on record the status as on date of the rehabilitation of the slum dwellers in respect of the various schemes that are subject matter of the PIL Nos. 109 of 2019 and 83 of 2019.

5. The learned Amicus Curiae submits that additional affidavit filed by Respondent nos. 9 to 16 is not served upon her. The same shall be served upon the learned Amicus Curiae today itself by Respondent nos. 9 to 16.

6. The details that would be submitted by the SRA and the developers with regard to the rehabilitation of the slum dwellers of each and every scheme as on date shall be placed on record on affidavit and copies be given to the learned



Amicus Curiae and the party in person. The same shall be filed on or before 27 March 2023.

7. The learned Amicus Curiae submits that in none of the affidavits the details of the SRA scheme at CTS No. 811-1/7, 812(Pt.), 813, 821, 824, 825 and 844 situated at Konkani Pada, Kurar Village, Malad (East), Mumbai-400 097 are given. The details of the same shall also be given by the SRA on affidavit.

8. It is made clear that we have not yet taken cognizance nor considered the Contempt Petition on merits.

9. Place all these matters on 27 March 2023.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)