



2026:BHC-OS:10879

904. WP/1836/2026

Mohammed vs. Competent Authority & Ors.

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

WRIT PETITION NO. 1836 OF 2026

Mohammed Ibrahim Shaikh .. Petitioner
V/s.
Competent Authority and Land Manager and Ors. .. Respondents

WITH
WRIT PETITION (L) NO. 7819 OF 2026

Mohammed Ismail Mohd. Hussian Shaikh .. Petitioner
V/s.
Competent Authority and Land Manager,
Mumbai Circle and Ors. .. Respondents

Ms. Bushra Sayed i/b Mr. Fayzan Khan for Petitioner in both Writ Petitions.
Mr. Jagdish G. Ardwad (Reddy) i/b Abhijit Patil for Respondent no. 1 – MHADA in both Writ Petitions.
Mr. Aadil Parsurampuriah i/b Ms. Janhavi Rane for Respondent no. 3 in WP/1836/2026.
Ms. Janhavi Rane for Respondent no. 3 IN WPL/7819/2026.
Mr. Shamrao Gore, AGP for Respondent nos. 4 and 5 – State in WP/1836/2026.
Mr. Nishigandh Patil, AGP for Respondent nos. 4 and 5 – State in WPL/7819/2026.

CORAM : FARHAN P. DUBASH, J.

DATE : 24th APRIL 2026

P.C.:

1. Both these Writ Petitions challenge proceedings before the Grievance Redressal Committee (**GRC**) – Respondent no. 5 in which an order dated 26th February 2026 came to be passed closing the Appeals for orders.



Admittedly, till date, after the passing of the said order on 26th February 2026, the GRC has not passed the final order.

2. Without going into the merits of the matters, by consent of parties, both Writ Petitions are disposed of in terms of the following order:

::ORDER::

- (i) The GRC – Respondent no. 5 shall pass an order in the said Appeals viz., Appeal No. 287 of 2025 and Appeal No. 288 of 2025 within a period of three weeks from today viz., on or before 15th May 2026 and communicate the same to the Petitioners.
- (ii) MHADA – Respondent no. 1 shall pass an order in respect of the representations regarding the eligibility of the Petitioners made by the Petitioners in both the Writ Petitions, which were made as far back as on 10th December 2015 and pass an order thereon as expeditiously as possible and, in any event, on or before 11th May 2026 and communicate the same thereof to the Petitioners.
- (iii) The undertaking given by both the Petitioners that, if the order passed by the GRC in Appeal No. 287 of 2025 and Appeal No. 288 of 2025 results in a dismissal of their Appeal, they will voluntarily and forthwith vacate and



handover quiet, vacant and peaceful possession of the respective tenements/structures/hutment in their possession to the Slum Rehabilitation Authority (SRA) within 24 hours of the communication of the said order to them, is noted and accepted by this Court.

- (iv) Considering this, and purely as and by way of an indulgence to the Petitioners, till then viz., passing of the orders in Appeal No. 287 of 2025 and Appeal No. 288 of 2025, the Petitioners are permitted to remain in possession of the respective structures/tenements/hutments that are stated to be in their occupation.
- (v) It is made clear that the aforesaid undertaking to vacate is regardless of the outcome of the order that will be passed by MHADA – Respondent no. 1 on the eligibility of the Petitioners.
- (vi) If possession is not handed over, SRA is permitted to forthwith take possession with police assistance without any further notice.
- (vii) Both Writ Petitions are disposed of in terms of the aforesaid order with no order as to costs. Liberty to apply.



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3. The statement made by the Petitioners that they are in occupation of the structures (ground + 3 upper floors) which is the subject matter of the two Appeals before the GRC is noted and accepted.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil