



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

WRIT PETITION NO. 1757 OF 2025

Ramesh Swaminath Singh

... Petitioner

Vs.

The Slum Rehabilitation Authority & Ors.

... Respondents

Mr. Sankalp A. Sharma a/w. Ms. Vidhi Rathi and Ameya Vaidya i/b. Karthie Ier
for the petitioner.

Mr. Rakesh Pathak, AGP for respondent no. 4.

Smt. K.H. Mastakar i/b. Smt. Komal Punjabi for respondent nos. 5 and 6/BMC.

Mr. Swapnil Gund, Sub-Engineer (Maint) P/N/ Ward present.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATED: 17 JUNE, 2025

P.C.

1. The land in question, a private land belonging to the petitioner, is admittedly declared to be slum under Section 3C of the Maharashtra Slum Areas (Improvements, Clearance and Redevelopment) Act, 1971. Earlier the petitioner had approached this Court in the proceedings of Writ Petition No. 1060 of 2024 challenging the decision of the State Government to acquire the land for the purpose of development. The said petition came to be adjudicated by the coordinate Bench of this Court by the judgment and order dated 9 August, 2024. The decision of the State Government to acquire the land under Section 14 of the Slum Act was quashed and set aside.

2. The obvious consequence of setting aside of the acquisition is that the plot becomes available to the petitioner to be developed by exercising its preferential rights to undertake development. However, the petitioner is unable to do so, as

the plot in question is stated to be reserved partly for D.P. Road and partly for recreational ground. If this be the position and these are development plan reservation, the Municipal Corporation will be required to take appropriate position and acquire the land for the public purpose which was allocated in the Development plan.

3. Admittedly, the land being under reservation, the same would be now required to be acquired by the Municipal Corporation in a manner known to law for the public purpose. We, accordingly, direct the Municipal Corporation to place on record its stand as to when the Municipal Corporation would complete the acquisition process to acquire the petitioner's land. Depending on the affidavit, which would be filed on behalf of the Municipal Corporation, we shall proceed to pass further appropriate order. Let such affidavit as directed by us be placed on record on or before the adjourned date of hearing.

4. Stand over to **1 July 2025 (H.O.B.)**.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI , J.)