



1-PIL-100 2020

2024:BHC-OS:15160-DB

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO. 109 OF 2019
WITH
INTERIM APPLICATION NO. 3179 OF 2023**

Vijendra Kumar Rai .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

**WITH
CONTEMPT PETITION (L) NO. 29681 OF 2023
IN
PUBLIC INTEREST LITIGATION NO. 109 OF 2019**

Sadiqa Ali Abbas .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

**WITH
CONEMPT PETITION (L) NO. 3760 OF 2023
IN
PUBLIC INTEREST LITIGATION NO. 109 OF 2019**

Vijendra Kumar Rai .. Petitioner
Versus
Chief Executive Officer, SRA .. Respondent

**WITH
PUBLIC INTEREST LITIGATION NO. 83 OF 2019**

Vijendra Kumar Rai .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 1292 OF 2018**

Vijendra Kumar Rai .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents



1-PIL-100 2023

2024:BHC-OS:15160-DB

**WITH
WRIT PETITION (L) NO. 26454 of 2023**

A. B. Builders and Developers .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 3571 OF 2023**

Confederation of Real Estate Developers
Association of India & Anr. .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION (L) NO. 30811 OF 2023**

Royal Netra Constructions Private
Limited .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

Ms. Pritha Paul i/by Ms. Rebecca Gonsalves, Amicus Curiae in
PIL/109/2019, CONPPL/3760/2023, PIL/83/2019 and
WP/1292/2018.

Mr. Rakesh K. Agarwal for petitioner in CONPPL/29681/2023.

Mr. Pravin Samdani, Senior Avocate a/w Mr. Mayur
Khandeparkar, Mr. Aditya Miskita, Nivit Srivastava & Amit
Hailkar i/by Maniar Srivastava Associates for petitioner in
WPL/30811/2023.

Mr. Aspy Chinoy, Senior Advocate a/w Mr. Karl Tamboly, Mr.
Samit Shukla, Ms. Saloni Shah & Mr. Abhishek Kothari i/by
DSK Legal for petitioner in WP/3571/2023.



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

Mr. L. T. Satelkar, AGP for State in PIL/109/2019, CONPPL/3760/2023, IA/3179/20203, CONPPL/29681/2023, WPL/30811/2023 and WPL/26454/2023.

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

Smt. Uma Palsuledesai, AGP for State in WP/3571/2023.

Ms. Oorja Dhone i/by Mr. S. K. Sonawane for respondent nos.3 and 4/BMC in PIL/109/2019.

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

Mr. Jagdish G. Aradwad (Reddy) a/w Mr. Abhijit Patil for respondent nos.2 and 3 in PIL/109/2019 & for respondent nos.7 to 13 in WP/1292/2018.

Mr. A. Y. Sakhare, Senior Advocate a/w Mr. Vijay D. Patil for respondent no.6 in PIL/109/2019 and for respondent nos.1 and 2 in CONPPL/3760/2023.

Mr. Vijay D. Patil for respondent nos.2 and 3 in CONPPL/29681/2023.

Dr. Birendra Saraf, Advocate General a/w Mr. Jagdish G. Aradwad (Reddy) a/w Mr. Abhijit Patil for respondent nos.2 and 3 in PIL/109/2019, WP/3571/2023, WPL/26454/2023 & WPL/30811/2023.

Mr. Jamshed Master a/w Mr. Jayesh R. Vyas for respondent no.17 in PIL/109/2019.

Mr. Dinyar Madon, Senior Advocate with Mr. Bhushan Deshmukh, Mr. Shakeeb Shaikh, Ms. Sheetal Angane, Mr. Haaris Reshamwala and Pradeep Jain i/by Diamondwala & Co. for respondent nos.9 to 16 in PIL/109/2019.

Ms. Viloma Shah a/w Harshad Vyas i/by AVP Partners for respondent no.21 in PIL/109/2019.

Mr.Enamul Haq Khan for applicant in IA/3179/2023.



**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 13th DECEMBER, 2023

P.C.:

PIL No. 109 OF 2019:

1. It has been informed that learned *Amicus* is not able to attend the Court for certain personal reasons as she has met with an accident.
2. Accordingly, we permit the learned *Amicus* to file the response to the affidavits-in-reply by the next date of listing.
3. Mr. Madon, learned senior counsel appearing for respondent nos. 9 to 16 states that in some cases proceedings under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (hereinafter referred to as "the Act of 1971") are pending and, therefore, appropriate officer of Slum Rehabilitation Authority (SRA) may be directed to conclude the said proceedings within some time frame.
4. Mr. Sakhare, learned senior counsel representing the SRA submits that the proceedings under Section 13(2) of the Act of 1971 shall be disposed of by the end of February, 2024. Mr. Sakhare, however, clarifies that this statement will have no bearing so far as the matters relating to Amnesty Scheme pending before the State Government are concerned. We take note of the statement made by Mr. Sakhare.

CONTEMPT PETITION (L) NO. 29681 OF 2023:

5. Learned counsel representing the petitioner prays for and is granted 10 (ten) days' time to file rejoinder.

**WRIT PETITION NO. 3571 OF 2023:**

6. Issue notice to the respondents.
7. Learned AGP puts in appearance for respondent no.1 and waives service of notice. Learned Advocate General puts in appearance for respondent nos.2 and 3 and waives service of notice.
8. Let an affidavit-in-reply by the State as also by the SRA be filed within four weeks. Two weeks thereafter shall be available to the petitioners to file rejoinder affidavit, if any.

WRIT PETITION (L) NO. 30811 OF 2023:

9. Issue notice to the respondents.
10. Learned AGP puts in appearance for respondent no.1 and waives service of notice. Learned Advocate General puts in appears for respondent nos.2 and 3 and waives service of notice.
11. Respondents shall file their counter affidavits within four weeks. Two weeks thereafter shall be available to the petitioner to file rejoinder affidavit, if any.

WRIT PETITION (L) NO. 26454 OF 2023:

12. None appears for the petitioner.
13. List all the matters on **24th January, 2024** for directions'.

(ARIF S. DOCTOR, J.)**(CHIEF JUSTICE)**