

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

**INTERIM APPLICATION (L) NO. 19650 OF 2026
IN
WRIT PETITION (L) NO. 5853 OF 2026**

Garib Nagar Rahiwasi Welfare Sangh Society
through its General Secretary ... Applicant
Versus
The Union of India, through the
Secretary & Ors. ... Respondents

Mr. Rajesh P. Khobragade for the Applicant.
Mr. Aayush Kedia a/w Adv. Deepam Upadhyay for Respondent
Nos.1 to 3 and 7.
Mr. Akshay P. Shinde for Respondent No.5-MMRDA.
Mr. Rakesh Pathak, AGP for Respondent No.6-State.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.
DATE : 19th JUNE 2026**

P.C. :

. The petitioner-society has been constrained to file this application and it was circulated urgently today, in the light of the situation faced by the eligible slum dwellers who allege that in the demolition drive of unauthorized and illegal structures, even they have been adversely affected, although they are eligible slum dwellers, who are entitled for permanent alternate accommodation.

2. It is alleged that the demolition drive has resulted in their structures also being partly demolished, some of them are open to sky and that as on today, there is neither electricity nor water

supply. They are also facing difficulties in the light of unavailability of public toilets due to the demolition drive. It is submitted that this has resulted in the said eligible slum dwellers facing immense difficulties and subhuman conditions of living.

3. The learned counsel appearing for respondent Nos.1 to 3 and 7 i.e. the Railway Authorities asserts that appropriate demolition drive was undertaken against unauthorized structures and that all efforts were made to protect the eligible slum dwellers in terms of the order dated 29th April 2026. It is submitted that some damage has occurred due to common walls between unauthorized structures and structures of the eligible slum dwellers. It is submitted that efforts are being made to erect shades to give as much as protection as can be given to such eligible slum dwellers, who may have suffered due to the demolition drive. It is further submitted that the Railway Authorities have pursued the private company supplying electricity, for restoring electricity supply and that this Court may consider issuing appropriate directions in that regard.

4. The learned counsel for the petitioner submits that the Mumbai Metropolitan Region Development Authority (MMRDA) is required to provide the permanent alternate accommodation to all eligible slum dwellers and that necessary action has not been taken to provide such accommodation, due to which eligible slum dwellers are finding themselves in such difficulties.

5. The learned counsel appearing for respondent No.5 i.e. the

Additional Collector and Chief Social Development Cell, MMRDA, on instructions, makes a statement that by middle of July 2026, the alternate accommodation will be made available to the eligible slum dwellers. He submits that if a short adjournment is granted, an affidavit can be placed on record in that regard.

6. The learned AGP appearing for respondent No.6-State of Maharashtra, submits that directions that may be issued by this Court to provide immediate relief to the eligible slum dwellers, will be abided and that necessary steps can be taken in that regard.

7. It is to be noted that in the order dated 29th April 2026, a Division Bench of this Court (Coram: A. S. Gadkari and Kamal Khata, JJ.) has observed as follows :

“1) Leave to amend to annex all the necessary and relevant documents granted. Amendment be carried out within a period of two weeks from today.

2) As far as the demolition drive of all the unauthorized and illegal structures by the Railway is concerned, we permit the Railway Authorities to continue with their demolition drive. However the interest of slum dwellers identified as eligible from the first survey dated 10th August, 2021 and second survey dated 11th August, 2021 must be adequately protected.

3) Stand over to 8th July, 2026.”

8. As per the said order, eligible slum dwellers were required to be adequately protected. It appears that the demolition drive of the unauthorized structures has led to part demolition of some structures of even the eligible slum dwellers. There is substance in the contention raised on behalf of the petitioner that till the

alternate accommodation is made available by the MMRDA, the eligible slum dwellers deserve to at least live in proper human conditions. Considering the aforesaid factors brought to the notice of this Court, the following directions are issued :

- a) The respondent No.5-Additional Collector and Chief Social Development Cell, MMRDA shall file an affidavit in this application within one week from today, giving the exact timeline for making the alternate accommodation available to the eligible slum dwellers.
- b) The respondent-Railway Authorities shall ensure that appropriate steps are taken to provide immediate and temporary repair of the adversely affected structures of the eligible slum dwellers and that such steps shall be taken within a period of 10 days from today.
- c) The respondent No.6-State of Maharashtra shall pursue the matter with the private company providing electricity supply to ensure that such supply is restored to the structures of the eligible slum dwellers, at the earliest and in any case, within a period of two days from today.
- d) The respondent No.6-State of Maharashtra shall ensure that water supply is also restored, at the earliest and in any case, within the aforesaid period of two days. If there is any difficulty in doing so, it shall be ensured that water tankers are made available to the eligible slum dwellers.

e) We are informed that even the public toilets were demolished in the said drive and hence, the respondent No.6-State of Maharashtra is directed to ensure that adequate number of mobile toilets are made available for the eligible slum dwellers forthwith, so that the plight of the eligible slum dwellers is addressed.

f) The respondent No.7 is permitted to file reply affidavit in the interim application, within one week from today.

9. We are of the opinion that appropriate relief will be available to the eligible slum dwellers only when alternate accommodation is made available to them and hence, it is impressed upon the respondent-MMRDA that urgent steps should be taken in that regard.

10. List the application for further consideration on 29th June 2026, in the supplementary list.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)