

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

WRIT PETITION (L) NO. 23726 OF 2025
ALONGWITH
INTERIM APPLICATION (L) NO. 26056 OF 2025

Andrew Michel Fernandes

...Petitioner

Vs.

The State of Maharashtra
Thr. Its The Urban Development
and Ors.

...Respondents

Mr. D. V. Saroj - Advocate for the Petitioner
Adv. Ravleen Sabharwal a/w Adv. Yashi Bhatt -for the Respondent-
SRA
Shri S. B. Gore – AGP for Respondent-State
Ms. K. H. Mastakar – For Respondent-BMC

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATE : 23rd APRIL 2026

P. C. :-

1. Heard learned counsel for the Petitioner and learned counsel for Respondent-SRA.
2. During pendency of the petition, the Deputy Collector, SRA has passed the order dated 30.07.2025. It is passed against three persons. Out of them, the Petitioner is one of them. As per the said order,

direction was given to hand over the possession of the premises to the Manager of SRA. Though this order is not annexed to the petition, we have gone through the order copy shown by learned counsel for the Petitioner. A copy is taken on record.

3. If it is so, then the Petitioner is having a remedy to challenge that order by preferring an appeal under Section 35 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 before Apex Grievance Redressal Committee.

4. In view of that the petition is disposed of with a liberty to prefer an appeal before AGRC within a period of two weeks from today. If issue of the limitation is raised, then SRA will not object to that issue.

5. All contentions are kept open.

6. The Interim Application is disposed of accordingly.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)