



SLUM REHABILITATION AUTHORITY

**BEFORE THE CHIEF EXECUTIVE OFFICER,
SLUM REHABILITATION AUTHORITY**

No.SRA/ENG/2051/FN/STGL/LOI

Slum Rehabilitation Authority

V/s

1. M/s Shreenath Realtors
Prathamesh 132, Khareghat Road,
Hindu Colony, Dadar (East)
Mumbai – 400 014
2. Shri. Kasu Munshi
G-1, Royal Crest, St. John Baptishta Road,
Mount Merry steps, Bandra (West),
Mumbai – 400 014
3. Ambedkar Nagar CHS (Prop.)
CS No.6 (pt) & Ors., Salt Pan Division,
Mumbai



Applicant

... Respondents

Sub. : Proceedings u/s 13(2) of Maharashtra Slum Areas (I, C & R) Act, 1971.

ORDER

Passed on - 06/01/2022

These Suo-Moto proceedings are initiated in respect of Slum Rehabilitation Scheme on land C.S. No.6(pt.) & 10(pt.) of Salt Pan Division for "Ambedkar Nagar CHS (Prop.)" on account of inordinate delay and nonperformance on the part of Respondent No.1. Hereinafter the above said Slum Rehabilitation Scheme is referred to and called as "subject SR Scheme".

CEO / SRA

BRIEF FACTS

The slum dwellers residing on portion of land C.S. No.6(pt.) &10(pt.) of Salt Pan Division formed the Respondent No.3 society and in General Body Meeting resolved to redevelop the land in their occupation by implementing Slum Rehabilitation Scheme. They appointed Respondent No.1 as developer and Respondent No.2 as Architect for redevelopment. Pursuant to appointment a proposal was submitted by Respondent No.1 & it was duly accepted on 29.09.2008. However it appears that after acceptance of proposal, a draft Annexure-II was forwarded to Deputy Collector/SRA and due to non submission of requisite document the draft Annexure-II was returned by Deputy Collector vide letter dated 02.08.2011.

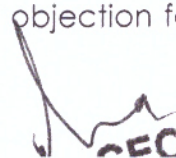
HEARING

Since there was no progress in subject SR Scheme the notices were issued to Respondents. In response to notice the Respondent No.3 has duly appeared through its office bearers. The Respondent No.1 remain absent. On behalf of Respondent No.2 one Mr. Imran Munshi remain present on 28.01.2021. But thereafter he remain absent. Lastly matter was heard on 08.10.2021 and closed for order.

ARGUMENT OF APPLICANT

The proposal of subject SR Scheme is submitted by Ambedkar Nagar CHS (Prop.). But, in hearing the office bearers of one Dr. Ambedkar Kokari Agar CHS (Prop.) appeared and submitted written submission alleging that the proposal of subject SR Scheme was submitted through Respondent No.1 in the year 2006. However there were several irregularities. So complaints were lodged by Respondent No.3 society with Slum Rehabilitation Authority. The then Chief Executive Officer/SRA took cognizance of their complaints and passed order for recording of proposal on 14.09.2011. They further stated that due to irregularities and incompetence of Respondent No.1, the Scheme could not be implemented till date. In hearing dated 28.01.2021, the Architect has stated that the Respondent No.1 is not interested in implementing the subject SR Scheme and they have no objection for appointment of



 CEO | SRA



new developer. There is letter of Dr. Ambedkar Nagar Kokari Agar CHS (Prop.) dated 26.08.2021 on record. In said letter it is alleged that the society has decided to appoint M/s Newlook Constructions Pvt. Ltd. as new developer. On these grounds they have prayed to dissolve the Respondent No.3 society and terminate the appointment of Respondent No.1.

As stated hereinabove the Respondent No.1 remain absent and there is no written submission filed on record by Respondent No.1. The Respondent No.2 has also not filed written statement.

REASONS

The record reveals that the proposal of subject SR Scheme is accepted on 29.08.2008 and since then there is absolutely no progress. Even Annexure-II is also not issued. The Dr. Ambedkar Nagar Kokari Agar CHS (Prop.) alongwith its written statement dated 09.04.2021 has submitted a zerox copy of note of Executive Engineer/SRA dated 26.08.2011. The said note reveals that after submission of subject SR Scheme a proposal of Special Township Project was sanctioned u/s 3K(1) by Government of Maharashtra on various plots of Salt Pan Division, Antop Hill, Wadala for developer M/s. Akruti City Ltd. vide approval dated 26.08.2009.

Thereafter by amalgamating contiguous slum plot, the Slum Rehabilitation Authority has issued provisional Letter of Intent to M/s. Akruti City Ltd. including the plot under subject SR Scheme. The developer M/s. Akruti City Ltd. submitted draft Annexure-II of some of the slum societies including the present society i.e. Ambedkar Nagar CHS (Prop.).

A complaint was also received from Hon'ble M.P. Shri Eknath Gaikwad regarding failure of M/s. Shreenath Realtors to submit requisite document to Competent Authority. Due to it the then Chief Executive Officer/SRA has approved the request of Executive Engineer to record the proposal of subject SR Scheme. The then Chief Executive Officer/SRA has given a remark on 14.09.2011 that "*proposal may be recorded*". In view of these facts and circumstances the proposal of subject SR

Scheme stands recorded on 14.09.2011. The record further reveals that M/s. Ackruti City Ltd. were informed by Slum Rehabilitation Authority to submit a proposal for revision of provisional Letter of Intent. M/s. Ackruti City Ltd. were also informed to pay the first installment of land premium through letter dated 21.09.2015. However they failed to take steps in that regard and due to it the provisional Letter of Intent dated 04.11.2009 was withdrawn w.e.f. by letter dated 01.12.2015.

In view of these facts and circumstances this Authority is of the view that the proposal submitted by M/s Shreenath Realtors is already recorded pursuant to the remark of the then Chief Executive Officer/SRA dated 14.09.2011. Moreover due to withdrawal/cancellation of provisional Letter of Intent issued to M/s. Ackruti City Ltd. there is no any proposal with Slum Rehabilitation Authority in respect of subject SR Scheme and Respondent No.3 society is at liberty to submit fresh proposal in accordance with rules, regulation & policy of Slum Rehabilitation Authority by appointing new developer of its choice. Accordingly following order is passed.

ORDER

The Respondent No.3 i.e. Ambedkar Nagar CHS (Prop.) is at liberty to submit fresh proposal in respect of land C.S. No.6(pt.) &10(pt.) of Salt Pan Division in its occupation by appointing new developer of its choice in accordance with rules, regulation & policy of Slum Rehabilitation Authority.

Place: - Mumbai

Date: - **7 JAN 2022**



[Signature]
Chief Executive Officer
Slum Rehabilitation Authority

No. SRA/CEO Order/Ambedkar Nagar CHS (Prop.)/**835/2021**

Date: - **7 JAN 2022**

Copy to:

1. M/s Shreenath Realtors
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3. Ambedkar Nagar CHS (Prop.)
CS No.6 (pt) & Ors., Salt Pan Division, Mumbai
4. Executive Engineer (F/N Ward)/SRA
5. Tahashildar-1/SRA
6. Financial Controller/SRA
7. Assistant Registrar (City)/SRA
- ✓ 8. Information Technology Officer/SRA
9. Chief Legal Consultant/SRA

