



**SLUM REHABILITATION AUTHORITY**

**BEFORE THE CHIEF EXECUTIVE OFFICER  
SLUM REHABILITATION AUTHORITY,  
Bandra (East), Mumbai**

SRA/ED/OW/2022/47328 | M/E

**23 NOV 2022**

Shri. Alex Isaac  
AAI Caretaker (NGO)  
Room No.B-4, Ashok Nagar,  
Vashinaka, Chembur,  
Near MMRDA Tunnel  
Mumbai-400 074.

...Applicant

V/s

1. Mr. Bharat Ramchandran Marathe, JT MC Zone-5  
MCGM, Mumbai.
2. Mr. A A Khan, Assistant Engineer Maintenance- M/E Ward, Govandi  
Mumbai.
3. CEO/SRA

... Respondent

Sub:- Complaint dated 21.06.2021 filed by Alex Isaac against  
Radius and Deserve Builder for S. R. Scheme on plot bearing  
CTS No. 200(pt) of Village Wadhavali, Chembur.

**ORDER**

(Passed on **22.11.2022**)

These proceedings are initiated pursuant to the complaint of the Applicant i.e. Alex Issac dated 22.06.2021 filed before the Hon'ble Upalokayukta, Maharashtra, bearing Complaint No.LAULA-Com./2069/2021 (T-12). According to the Applicant, A.A. & C., M/E is not recovering pending property tax amounting to Rs. 42 crores from M/s. Radius & Deserve Builders LLP and also for not addressing the issue of choked gutter behind his house due to the debris that is being dumped.

**CEO / SRA**



### **BRIEF FACTS:**

The slum dwellers residing on plot of land bearing CTSNo. 200(pt) of Village Wadhavali, formed Om Ganesh Nagar SRA CHSA Ltd. (prop), Ekta SRA CHS Ltd and Jai Hanuman Nagar SRA CHS (Prop .) resolved to redevelop the said land by implementing the Slum Rehabilitation Scheme. They appointed M/s. Radius & Deserve Builders LLP as a Developer . The land under reference is a State Government land. Letter of Intent for Om Ganesh Nagar and Ekta SRA CHS was issued on 30.03.2012 and Revised Letter of Intent for Om Ganesh Nagar and Ekta SRA CHS and Jai Hanuman CHS was issued on 24.07.2013. Being land owning Authority, NOC was issued by Collector, Mumbai Suburban District to Hon'ble Chief Executive Officer, Slum Rehabilitation Authority on 14.11.2014.

Due to nonpayment of the rent and inordinate delay, the said Developer was terminated by Hon'ble Chief Executive Officer, Slum Rehabilitation Authority u/s 13(2) of the Slum Act vide order dated 20.09.2021.

### **HEARING:**

As per the order dated 15.09.2022 of the Hon'ble Upalokayukta, hearing was scheduled on 21.10.2022 by the Chief Executive Officer/Slum Rehabilitation Authority. On 21.10.2022, the Applicant was present. Adv Rupa Kadam was present for Developer, M/s. Radius and Deserve Builder LLP. MCGM is represented through their officers. The complainant was heard and the matter is closed for order with directions to file written submission. No reply is filed by the complainant.

### **REASONS:**

From the records, it is observed that the Developer has repaired the drainage line and removed the debris lying on the said land as per the letter dated 26.08.2022 of the Deserve Exim Pvt. Ltd. submitted to Executive Engineer, Slum Rehabilitation Authority.

  
**CEO / SRA**



This Authority received the letter dated 19.09.2022 from Assistant Assessor & Collector (I/C), MCGM informing that the dues of property tax of Rs.15,60,38,400/- (Rehab) and Rs. 48,19,71,939/- (Sale) are pending to be paid by the Developer M/s Radius and Deserve Builders LLP of Om Ganesh Nagar SRA CHS Ltd. (prop.), Ekta SRA CHS Ltd. and Jai Hanuman CHS (prop.).

Due to nonpayment of the rent and inordinate delay, the said Developer was terminated by Hon'ble Chief Executive Officer, Slum Rehabilitation Authority u/s 13(2) of the Slum Act vide order dated 20.09.2021 subject to submission of GBR from Society.

However, the clause 1.13 of Appendix IV of Regulation 33(10) of DCR 1991 and Clause 1.13 of Regulation 33(10) of DCPR 2034 reads as "Recovery of pending dues such as Assessment, Compensation, Occupational Charges, Non-Agriculture Tax/dues etc. pending with public authorities such as State Government, MHADA and/or Municipal Corporation shall be dealt with separately and not be linked to grant of approval or building permission to the slum rehabilitation projects."

Also, it is pertinent to mention that this Authority has not given any NOC to Developer to M/s Radius and Deserve Builders LLP for borrowing loan in respect of said Slum Rehabilitation Scheme or land.

Considering these facts and circumstances, this Authority is of the opinion that the complaint of the complainant is liable to be rejected.

#### ORDER

The complaint of Shri. Alex Isaac dated 22.06.2021 stands disposed off.

  
Chief Executive Officer,  
Slum Rehabilitation Authority.

Place: - Mumbai

Date:

No.SRA/CEO Order/ /2022. ED/OW/ 47328 /MRE

Date: 23 NOV 2022

**Copy to:**

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Govandi Mumbai.
4. Deputy Chief Engineer/SRA
5. Executive Engineer (M/E Ward) SRA
6. Tahsildar -2 (Special Cell)/SRA
7. Joint Registrar (E& W)/SRA
8. Finance Controller/SRA
9. Chief Legal Consultant /SRA
10. IT Officer/SRA
11. DSLR/SRA