



SLUM REHABILITATION AUTHORITY

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

P-N/MHADA/0031/20200626

Malad Shivaji Nagar CHS Ltd.
CTS No.291A(Pt.) of Village Kurar,
Taluka Borivali,
C/o.11-A, Sainath Niwas,
Shivaji Nagar, Kurar,
Malad (East), Mumbai – 400 097

... Applicant

V/s

1. M/s. Royal Realtors,
6th Floor, Shah Trade Centre,
Rani Sati Marg, Malad (East),
Mumbai - 400 097
2. M/s. Aakar Architects & Consultants,
Ground Floor, Satyanarayan Prasad
Commercial Centre, Dayaldas Road,
Vile Parle (East), Mumbai – 400 057



... Respondents

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

ORDER

(Passed on 9/10/23)

These proceedings are initiated pursuant to representation of Applicant dated 06.04.2023 in respect of Slum Rehabilitation Scheme on land bearing CTS No.291A(Pt.) of Village – Kurar, Taluka - Borivali for Malad Shivaji Nagar CHS Ltd. Hereinafter the above said

Slum Rehabilitation Scheme is referred to and called as "Subject S.R. Scheme".

BRIEF FACTS:

The slum dwellers residing on land bearing CTS No.291A(Pt.) of Village – Kurar, Taluka - Borivali have formed the Applicant Society and in General Body Meeting resolved to redevelop the said land by implementing the Slum Rehabilitation Scheme. The Applicant society appointed Respondent No.1 as Developer & Respondent No.2 as Architect for implementation of subject S.R. Scheme. The proposal of subject S.R. Scheme was submitted to Slum Rehabilitation Authority on land admeasuring 6549.00 sq. mtrs. The said land is owned by MHADA. The proposal of subject S. R. scheme is accepted by Slum Rehabilitation Authority on 26.06.2020. However thereafter there is absolutely no progress in subject S. R. Scheme and the Scheme is stand still. Even the Annexure-II is also not obtained.

The Applicant submitted application dated 06.04.2023 for termination of appointment of Respondent No.1 as Developer on the basis undated letter of Respondent No.1. So the notice for hearing was issued to Respondents to show cause as to why the action u/s 13(2) of the Maharashtra Slum Areas (I, C & R) Act, 1971 should not be taken. The matter was heard on 12.06.2023. On said day representatives of Applicant society remain present. Shri Himmat Kachara remain present for Respondent No.1. Parties are heard at length and matter was closed for order.

ARGUMENT OF APPLICANT

According to Applicant, they have formed Applicant society for redevelopment of land in their occupation and accordingly they have passed resolution for appointment of Respondent No.1 as developer. It is further version of Applicant that the proposal of



subject SR Scheme is duly accepted by this Authority on 26.06.2020. After appointment of Respondents, there is no progress shown in subject SR Scheme. It is the case of Applicant that the Respondent No.1 has submitted undated letter stating that due to their personal difficulty they are unable to redevelop the said land, so their appointment may be cancelled and M/s. Jaliyan B Right Developers LLP may be appointed as new developer.

CASE OF RESPONDENT NO.1

There is undated letter of Respondent No.1 on record. In said letter, the Respondent No.1 has stated that due to their personal difficulty they are not in position to implement subject SR Scheme and M/s. Jaliyan B Right Developers LLP may be appointed as new developer.

ISSUES & REASONS

The slum dwellers residing on land bearing CTS No.291A(Pt.) of Village – Kurar, Taluka - Borivali formed Applicant society and appointed Respondent No.1 as developer to implement the SR Scheme on land in its occupation. The proposal of the subject SR Scheme of Applicant is submitted to Slum Rehabilitation Authority and it was duly accepted on 26.06.2020. However thereafter there is absolutely no progress in subject S. R. Scheme and the Scheme is stand still. Even the Annexure-II is also not obtained.

There is no progress at all and scheme is stand still. It is pertinent to note that the Respondent No.1 has submitted undated Application stating that due to their personal difficulty they are unable to redevelop the said land and rehabilitate the slum dwellers, so their appointment may be cancelled and M/s. Jaliyan B Right Developers LLP may be appointed as new developer. Accordingly following order is passed.

ORDER

1. The Respondent No.1 i.e. M/s. Royal Realtors is hereby terminated as developer of subject SR Scheme i.e. SR Scheme on land CTS No.291A(Pt.) of Village – Kurar, Taluka - Borivali for Malad Shivaji Nagar CHS Ltd.
2. The Applicant society i.e. Malad Shivaji Nagar CHS Ltd. is at liberty to appoint new developer in accordance with rules, regulations and policy of Slum Rehabilitation Authority.
3. The new incoming developer to reimburse the actual expenses incurred by Respondent No.1 as per provisions of section 13(3) of the Maharashtra Slum Areas (I, C & R) Act, 1971.

Place:- Mumbai

Date:- 09 OCT 2023


Chief Executive Officer
Slum Rehabilitation Authority

No.SRA/CEO/13(2)/Malad Shivaji Nagar/ 63 /2023

Date: 09 OCT 2023

Copy to:

1. Malad Shivaji Nagar CHS Ltd.
C/o. 11-A, Sainath Niwas,
Shivaji Nagar, Kurar,
Malad (East), Mumbai – 400 097
2. M/s. Royal Realtors,
6th Floor, Shah Trade Centre,
Rani Sati Marg, Malad (East),
Mumbai – 400 097
3. M/s. Aakar Architects & Consultants,
Ground Floor, Satyanarayan Prasad
Commercial Centre, Dayaldas Road,
Vile Parle (East), Mumbai – 400 057
4. Deputy Chief Engineer/SRA
5. Executive Engineer (P/N)/SRA



6. Tahsildar-2/SRA
7. Finance Controller/SRA
8. Chief Legal Consultant/SRA
9. Joint Registrar (W.S.)/SRA
10. IT Officer/SRA

