



SLUM REHABILITATION AUTHORITY

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

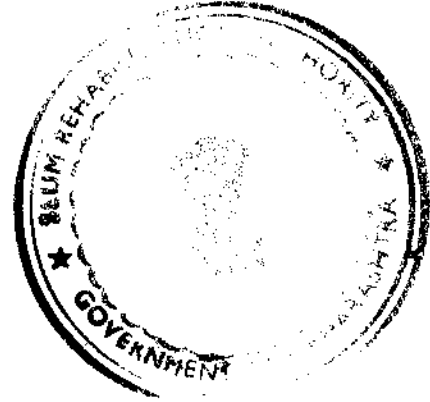
No. SRA/ENG/1423/RC/MHL/LOI

Slum Rehabilitation Authority

... Applicant

V/s

1. M/s. Ashapura Infrastructure Pvt. Ltd.
(Ashapura Option Pvt. Ltd.)
9th Floor, Hallmark Business Plaza,
Gurunank Hospital Road,
Bandra (East), Mumbai - 400 051
2. Devipada SRA CHS (Prop)
Mauje Magathane, Taluka Borivali,
Borivali (East), Mumbai
3. Sanghavi Finance Pvt. Ltd.
F.P. No.145, Ram Mandir Road,
Vile Parle (East), Mumbai



... Respondents

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

ORDER

(Passed on - 13 4 APR 2024)

These proceedings are initiated in respect of Slum Rehabilitation Scheme on land bearing CTS No.215(pt) of Village Magathane, Taluka-Borivali, Mumbai - 400 066 for "Devipada SRA CHS (Prop.)" pursuant to the note of Assistant Engineer(City)/SRA dated 04.04.2024. Hereinafter the abovesaid Slum Rehabilitation Scheme is referred to and called as "subject SR Scheme".


CEO / SRA

BRIEF FACTS

The factsheet reveals that the slum dwellers residing on plot of land bearing CTS No.215(pt) of Village Magathe, Taluka Borivali, Mumbai- 400066 have formed Devipada SRA CHS (Prop.) and resolved to redevelop the said land by implementing the Slum Rehabilitation Scheme. The above society appointed Respondent No.1 as Developer for implementation of subject SR Scheme. Pursuant to appointment, the Respondent No.1 submitted proposal of subject SR Scheme to Slum Rehabilitation Authority on land admeasuring 30287.17 sq. mtrs. The said land is owned by MHADA. The proposal of subject SR Scheme is duly accepted on 17.05.2006. The certified Annexure-II is issued by Competent Authority on 05.08.2006 for total 1736 slum dwellers out of which 1599 are eligible slum dwellers. Letter of Intent was issued on 13.08.2009 and the same was lastly revised on 02.11.2020. Intimation of Approval is issued to rehab building no.2A, 2B and 2C on 17.10.2011 and the same is lastly amended on 24.04.2017. Further Commencement Certificate to rehab building 2A is issued on 19.06.2014. Full Occupation Certificate to rehab building 2A is issued on 26.09.2018. Thereafter there is no progress in subject SR Scheme and the scheme is stand still.

HEARING

The matter is heard on 12.04.2024. On said day Mr. Nishit Patel for Respondent No.1 remain present. Representatives of Respondent No.2 society remain present. Vivek Mittal remain present for Respondent No.3. Heard all of them and matter was close for order. Directions were given to parties to submit their written submission within seven days. The parties failed to submit written submissions on record.

REASONS

The fact sheet of engineering department reveals that the proposal of subject SR Scheme is duly accepted on 17.05.2006. The certified Annexure-II is issued by Competent Authority in the year 2006 for total 1736 slum dwellers. Out of which 1599 slum dwellers were declared as eligible. Letter of Intent was issued on 13.08.2009 and the same is revised lastly on 02.11.2020. Intimation of Approval is issued to

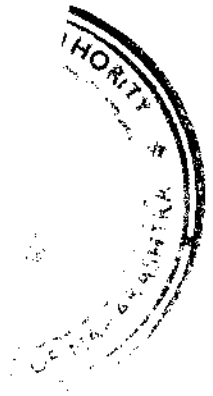


rehab building no.2A, 2B and 2C on 17.10.2011 and the same is lastly amended on 24.04.2017. Further Commencement Certificate to rehab building 2A issued on 19.06.2014. Full Occupation Certificate to rehab building 2A is issued on 26.09.2018. Since acceptance of proposal, the period of around 18 years has passed but till date the Respondent No.1 has failed to rehabilitate all the slum dwellers.

There is report of Assistant Registrar dated 18.04.2024 on record. From said report it appears that Respondent No.1 is in arrears of rent amounting to Rs.60 Crores approximately.

There is letter of Deputy Secretary Housing Department dated 14.03.2024 on record. The said letter reveals that the financial institution, Sanghavi Finance has submitted Application under Amnesty Scheme as per Government Resolution dated 25.05.2022. The said financial institution has expressed willingness to complete the Scheme and to discharge all the obligations and liabilities in respect of subject SR Scheme. The letter further reveals that, after scrutiny of the proposal of Sanghavi Finance, the Committee constituted by Government under Chairmanship of Hon'ble Additional Chief Secretary, Housing Department has approved their proposal under Amnesty Scheme for completion of Scheme through the Agency/representative M/s. Dosti Group. The record reveals that though the Respondent No.1 has raised the finance from financial institution i.e. Sanghavi Finance they have failed to complete the subject SR scheme. This approach of Respondent No.1 shows that they are not interested and are not in financially sound position to complete the subject SR Scheme.

Considering the overall facts and circumstances this Authority has come to conclusion that there is inordinate delay and non-performance on the part of Respondent No.1. Moreover the Respondent No.1 is not in position to pay transit rent to eligible slum dwellers. In view of these facts and decision of Committee constituted under Amnesty Scheme the Respondent No.1 needs to be terminated as developer of subject SR Scheme. Accordingly following order is passed.



ORDER

1. The Respondent No.1 i.e. M/s. Ashapura Infrastructure Pvt. Ltd. (Ashapura Option Pvt. Ltd.) is hereby terminated as developer of subject SR Scheme i.e. SR Scheme on CTS No.215(pt) of Village Magathe, Taluka Borivali, Mumbai - 400066 for "Devipada SRA CHS".
2. The appointment of lender/joint developer Sanghavi Finance alongwith developer authorized by lender Dosti Group is hereby confirmed is hereby confirmed as per the decision of Committee under Chairmanship of Hon'ble Additional Chief Secretary, Housing Department on Amnesty proposal of lender.
3. The lender Sanghavi Finance is directed to take necessary steps including compliance of circular no.210 of SRA.
4. The Executive Engineer is directed to appoint Government approved valuer to determine the expenses incurred by Respondent No.1 in respect of subject SR Scheme till date as per section 13(3) of the Maharashtra Slum Areas (I, C & R) Act, 1971.
5. The newly appointed joint developer/lender to reimburse the actual expenses incurred by Respondent No.1 in respect of subject SR Scheme as per provisions of section 13(3) of the Maharashtra Slum Areas (I, C & R) Act, 1971.

Place: - Mumbai

Date: - 24 APR 2024

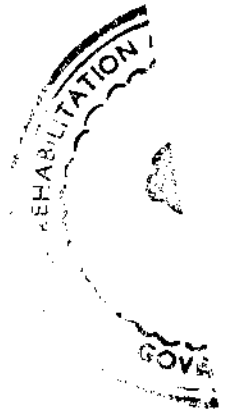

Chief Executive Officer
Slum Rehabilitation Authority

No. SRA/CEO Order/Devipada SRA CHS (Prop)/34/2024

Date: 24 APR 2024

Copy to:

1. M/s. Ashapura Infrastructure Pvt. Ltd.
9th Floor, Hailmark Business Plaza,
Gurunanak Hospital Road,
Bandra (E), Mumbai- 400051
SRA CHS (Prop)



F.P. No. 145, Ram Mandir Road,
Vile Parle (E), Mumbai

4. Dosti Group
Lawrence and Mayo House,
1st Floor, 276, Dr. D.N. Road,
Fort, Mumbai- 400 001
5. Dy. Chief Engineer/SRA
6. Executive Engineer (R/C Ward)/SRA
7. Deputy Collector (Spl. Cell)/SRA
8. Financial Controller/SRA
9. Assistant Registrar (Western)/SRA
10. DDLR/SRA
11. Information Technology Officer/SRA
12. Chief Legal Consultant/SRA

