



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

**PN/STGOVT/0014/20080910**

Chhatrapati Shivaji SRA CHS (Prop.)  
& Radha Krishna SRA CHS (Prop.)  
Bhabrekar Nagar, Charkop Industrial Estate,  
Kandivali (West), Mumbai - 400 067

... Applicants

V/s

1. M/s. Lakdawala Developers Pvt. Ltd.  
Lathiwala Apartment, 1<sup>st</sup> Floor,  
Shivdas Chapashi Road, Near Sales Tax Office,  
Mazgaon, Mumbai - 400 010
2. Shri Sameer Kulkarni,  
39/2021, Shivam CHS, Gandhi Nagar,  
Bandra (East), Mumbai - 400 051



... Respondents

**ORDER**

(Passed on 20/9/23 )

These proceedings are initiated pursuant to representation of Applicants dated 10.07.2023 in respect of Slum Rehabilitation Scheme on land bearing CTS No.6/A(Pt.), 6/A/6(Pt.) of Village Malvani and CTS No.471/A(Pt.) of Village Kandivali (West) for "Chhatrapati Shivaji SRA CHS (Prop.) & Radha Krishna SRA CHS (Prop.)". Hereinafter the above said Slum Rehabilitation Scheme is referred to and called as "Subject S.R. Scheme". In brief the facts which lead to the present proceedings are as under;

**BRIEF FACTS:**

The slum dwellers residing on plot of land bearing CTS No.6/A(Pt.), 6/A/6(Pt.) of Village Malvani and CTS No.471/A(Pt.) of Village Kandivali (West) formed Applicant societies i.e. Chhatrapati Shivaji SRA CHS (Prop.)



& Radha Krishna SRA CHS (Prop.) and in General Body Meeting resolved to redevelop the said land by implementing the Slum Rehabilitation Scheme. The Applicant societies 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 10015 sq. mtrs. The said land is partly owned by MHADA and partly by State Government. The proposal of subject S.R. Scheme is accepted by Slum Rehabilitation Authority on 10.09.2008. The certified Annexure-II is issued by Competent Authority 28.02.2013 & 29.06.2017. Out of total 538 slum dwellers, 388 slum dwellers are declared eligible. Letter of Intent was issued on 23.02.2016 and same was revised on 16.09.2022. However thereafter, no further permission is issued to subject SR Scheme and the scheme is stand still.

The Applicants submitted applications dated 10.07.2023 for termination of appointment of Respondent No.1 as Developer on the basis letter of Respondent No.1 dated 09.06.2023. So the notice 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. Accordingly notices for hearing were issued to the concerned parties and the matter was heard on 08.09.2023. On said day office bearers of Applicant societies remain present. Mr. Prakash Mahadik, authorized representative & Director of Respondent No.1 also remain present. Parties are heard at length and matter was closed for order.

#### **ARGUMENT OF APPLICANT SOCIETIES**

According to Applicants, they have formed Applicant societies 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 Applicants that the proposal of subject SR Scheme is duly accepted by this Authority on 10.09.2008. The Letter of Intent was issued on 23.02.2016 and same was lastly revised on 16.09.2022. After appointment of Respondents, there is no progress shown in subject SR Scheme. It is the case of Applicants that the Respondent No.1 has issued NOC dated 09.06.2023 stating that due to their financial problem they





are unable to redevelop the said land, so their appointment may be cancelled and M/s. Gauri Land Developers LLP may be appointed as new developer. On these grounds the Applicants prayed to terminate the appointment of Respondent No.1 in subject SR Scheme.

#### **ARGUMENT OF RESPONDENT NO.1**

There are copies of letters/NOC's dated 09.06.2023 & 08.09.2023 on record. In letter dated 08.09.2023 the Respondent No.1 has stated that he has paid 11 month advance rent to all eligible slum dwellers of subject SR Scheme by obtaining finance from M/s. Gauri Land Developers LLP. Further they have stated that due to financial difficulties they are not in position to implement subject SR Scheme and they have no objection for appointment of new developer by Applicant societies.

#### **ISSUES & REASONS**

In the present case the facts and circumstances are of peculiar nature. The slum dwellers residing on land bearing CTS No.6/A(Pt.), 6/A/6(Pt.) of Village Malvani and CTS No.471/A(Pt.) of Village Kandivali (West)) formed Applicant societies and appointed Respondent No.1 as developer to implement the SR Scheme on land in its occupation. The proposal of the subject SR Scheme is submitted to Slum Rehabilitation Authority and it was duly accepted on 10.09.2008. The certified Annexure-II was issued on 28.02.2013 & 29.06.2017. Out of total 538 slum dwellers, 388 slum dwellers are held eligible. Letter of Intent was issued on 23.02.2016 and same was revised on 16.09.2022. However thereafter, no further permission is issued to subject SR Scheme and the scheme is stand still.

It is pertinent to note that the Respondent No.1 has submitted NOC's dated 09.06.2023 & 08.09.2023 on record. In said NOC's they have granted their no objection to terminate them as developer of the SR Scheme of Applicant societies. Further they have also granted no objection for appointment of new developer, M/s. Gauri Land Developers LLP.

Both societies in their letters dated 10.07.2023 have requested that the Respondent No.1 has failed to rehabilitate them by implementing



subject SR Scheme and Respondent No.1 is not in financially sound position to implement subject SR Scheme. Further they have contended that both of them have taken decision to appoint M/s. Gauri Land Developers LLP as their new developer for implementation of subject SR Scheme and prayed for appointment of authorized officer of SRA for conducting General Body Meeting for appointment of M/s. Gauri Land Developers LLP as new developer of subject SR Scheme. For appointment of new developer it is necessary to pass General Body Resolution with requisite consent in presence of authorized officer of Slum Rehabilitation Authority in accordance with circular no.169 of Slum Rehabilitation Authority. Accordingly following order is passed.

**ORDER**

1. The Respondent No.1 i.e. M/s. Lakdawala Developers Pvt. Ltd. is hereby terminated as developer of subject SR Scheme i.e. SR Scheme on land CTS No.6/A(Pt.), 6/A/6(Pt.) of Village Malvani and CTS No.471/A(Pt.) of Village Kandivali (West) for Chhatrapati Shivaji SRA CHS (Prop.) & Radha Krishna SRA CHS (Prop.).
2. The Applicant societies i.e. Chhatrapati Shivaji SRA CHS (Prop.) & Radha Krishna SRA CHS (Prop.) are 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:- 20 SEP 2023

  
Chief Executive Officer  
Slum Rehabilitation Authority

No. SRA/CEO Order/Chhatrapati Shivaji & Radha Krishna/58 /2023

Date: 20 SEP 2023



Copy to:

1. Chhatrapati Shivaji SRA CHS (Prop.)  
& Radha Krishna SRA CHS (Prop.)  
Bhabrekar Nagar, Charkop Industrial Estate,  
Kandivali (West), Mumbai - 400 067
2. M/s. Lakdawala Developers Pvt. Ltd.  
Lathiwala Apartment, 1<sup>st</sup> Floor,  
Shivdas Chapashi Road, Near Sales Tax Office,  
Mazgaon, Mumbai - 400 010
3. Dy. Chief Engineer/SRA
4. Executive Engineer (P/N Ward)/SRA
5. Tahasildar-2/SRA
6. Financial Controller/SRA
7. Joint Registrar (W.S.)/SRA
8. Information Technology Officer/SRA
9. Chief Legal Consultant/SRA

