



SLUM REHABILITATION AUTHORITY

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

No. SRA/ENG/1678/FC/ML&PL/LOI

Slum Rehabilitation Authority

... Applicant

V/s

1. M/s. Omkar Realtors & Developers Pvt. Ltd.
Omkar House, Off Eastern Express Highway,
Opp: Sion, Chunabhatti Signal, Sion (East),
Mumbai - 400 022
2. Matoshree SRA CHS Ltd. & 19 Ors.
Parel Shivdi Division, Dadar Naigaon Division
CTS No. 426 and Ors.
3. M/s. Piramal Capital and Housing Finance
601, 6th Floor, Amit Building,
Agsatya Corporate Park,
Kamani Junction, Opp. Fire Station,
LBS Marg, Kurla (West).



... Respondents

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

ORDER

(Passed on - 29 APR 2024)

These proceedings are initiated in respect of Slum Rehabilitation Scheme on land bearing CS No.426, 427(pt), 1/431, 432(pt), 1/437, 437(pt), 440(pt), 645(pt), 646(pt), 648(pt), 649(pt), 650(pt), 651(pt), 654, 655(pt), 657(pt), 658(pt), 659(pt), 854, 869, 870, 871 of Parel-Sewree Division & C.S. Nos. 155(pt), 174(pt), 176(pt), 1/177, 185(pt), 1038 and 1039 of Dadar- Naigaon Division, F/South Ward of MCGM. for "Matoshree SRA

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CHS Ltd. & 19 Ors. pursuant to the note of Assistant Engineer/SRA dated 04.04.2024. Hereinafter the abovesaid Slum Rehabilitation Scheme is referred to and called as "subject SR Scheme".

BRIEF FACTS

The factsheet reveals that the slum dwellers residing on plot of land bearing CS No.426, 427(pt), 1/431, 432(pt), 1/437, 437(pt), 440(pt), 645(pt), 646(pt), 648(pt), 649(pt), 650(pt), 651(pt), 654, 655(pt), 657(pt), 658(pt), 659(pt), 854, 869, 870, 871 & C.S. Nos. 155(pt), 174(pt), 176(pt), 1/177, 185(pt), 1038 and 1039 of Dadar- Naigaon Division, F/South Ward of MCGM, have formed Matoshree SRA CHS Ltd. & 19 Ors. and resolved to redevelop the said land by implementing the Slum Rehabilitation Scheme. The above societies 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 1,07,988.64 sq. mtrs. The said land is owned by MCGM & partly owned by private owner. The proposal of subject SR Scheme is duly accepted. The certified Annexure-1 is issued by Competent Authority for total 4534 slum dwellers. Letter of intent was issued on 19.01.2010 and the same was lastly revised on 01.02.2019. Thereafter there is no progress in subject SR Scheme and the scheme is stand still. The factsheet further reveals that the stop work notice is issued to two societies i.e. Ratnasindhu CHS and Sumangal CHS on 25.05.2022 for sale component.

HEARING

The matter is heard on 12.04.2024. On said day Adv. Noorain Patel, Adv. Narmata Powalkar and Adv. Arpan Malwankar remain present on behalf of Respondent No.1. None appeared for Respondent No.2 and 3. Heard Respondent No.1 and matter was close for order. Directions were given to parties to submit their written submission on or before 15.04.2024. 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. The certified Annexure-II is issued by Competent Authority for total 4534 slum dwellers. Letter of Intent was issued on 19.01.2010 and the same was lastly revised on 01.02.2019. Thereafter there is no progress in the subject SR Scheme and the scheme is stand still.

There is letter of Assistant Registrar/SRA dated 18.04.2024 on record. From the said letter it appears that there are complaints received from Respondent No.2 Societies regarding arrears of payment of rent. The letter further reveals that Respondent No.1 is in arrears of rent approximately to the tune of Rs.22,39,00,000/-. In this regard the Respondent No.1 has paid Rs.5,60,00,000/- on 08.12.2023 and balance rent amounting to Rs.16,79,00,000/- is still in arrears.

There is a letter dated 14.03.2024 of the Deputy Secretary, Housing Department on record. The said letter reveals that the financial institution M/s. Piramal Capital and Housing 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. The letter further reveals that after scrutiny of the proposal of financial institution i.e. M/s. Piramal Capital and Housing Finance the Committee constituted by Government under Chairmanship of Hon'ble Additional Chief Secretary, Housing Department has approved their proposal under Amnesty Scheme. The Letter of Deputy Secretary Housing Department further reveals that the Respondent No.3 financial institution will be completing the subject SR Scheme by appointing agency/representative M/s. Alperton Developers. The record reveals that though the Respondent No.1 has raised the finance from financial institution i.e. M/s. Piramal Capital and Housing 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. There is report of Assistant Engineer F/South Ward/SRA dated 23.04.2024 on record. The said report reveals that, out of total 4534 slum dwellers, the Occupation Certificate to 3478 tenements is granted. The report further reveals that construction of 815 tenements is in progress on site.

Since the acceptance of scheme considerable period has passed but till date Respondent No.1 has failed to complete the scheme. Moreover the Respondent No.1 is not in position to pay transit rent to eligible slum dwellers. 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. 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. Omkar Realtors & Developers Pvt. Ltd. is hereby terminated as developer of subject SR Scheme i.e. SR Scheme on land CS No.426, 427(pt), 1/431, 432(pt), 1/437, 437(pt), 440(pt), 645(pt), 646(pt), 648(pt), 649(pt), 650(pt), 651(pt), 654, 655(pt), 657(pt), 658(pt), 659(pt), 854, 869, 870, 871 & C.S. Nos. 155(pt), 174(pt), 176(pt), 1/177, 185(pt), 1038 and 1039 of Dadar-Naigoan Division, F/South Ward of MCGM. for "Matoshree SRA CHS Ltd. & 19 Ors."
2. The appointment of lender/Joint developer M/s. M/s. Piramal Capital and Housing Finance alongwith developer authorized by lender M/s. Alperton Developers 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 M/s. Piramal Capital and Housing 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 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: 29 APR 2024


Chief Executive Officer
Slum Rehabilitation Authority

No. SRA/CEO Order/ Matoshree SRA CHS Ltd & 19 Ors./ 41/2024

Date: 29 APR 2024

Copy to:

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Omkar House, Off Eastern Express Highway,
Opp: Sion, Chunabhatti Signal, Sion (E),
Mumbai- 400 022
2. Matoshree SRA CHS Ltd. & 19 Ors.
Parel Snivdi Division, Dadar Naigaon Division
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3. M/s. Piramal Capital and Housing Finance
601, 6th Floor, Amit Building,
Agsatya Corporate Park,
Kamani Junction, Opp: Fire Station,
LBS Marg, Kurla (W).
4. M/s. Alperton Developers
4th Floor, No.3, Karim Bhoys Road,
Ballard Estate, Near Bharat Bhavan,
Mumbai - 400 038
5. Dy. Chief Engineer/SRA



- 6. Executive Engineer (R/C Ward)/SRA
- 7. Deputy Collector (Sp. Cell)/SRA
- 8. Financial Controller/SRA
- 9. Assistant Registrar (City)/SRA
- 10. DDLR/SRA
- ✓ 11. Information Technology Officer/SRA
- 12. Chief Legal Consultant/SRA

