



SLUM REHABILITATION AUTHORITY

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

File No.SRA/ENG/1180/KW/STGL/LOI

Mr. Rajesh Munnalal Singh
Ramnagar Development Corporation Building No.9,
Office No.9, Sector -5, Shanti Garden,
Mira Road (East), Thane - 401 107

....Complainant

V/s

1. M/s. Priya Construction Company
23/3, Ashish CHS, Four Bungalow Road,
Main Market, Andheri (West),
Mumbai - 400 053.

2. M/s. ACE Consultants,
510-511, C Wing, 5th floor,
Trade World, Kamla Mill Compound,
Senapati Bapat Marg,
Lower Parel, Mumbai-400 013.



... Respondents

Sub.: Slum Rehabilitation Authority on plot bearing CTS
No.1322/1(pt) of Village Versova and adjoining land for
Juhu Versova Ekta CHS Ltd & 3 others CHS.

ORDER

(Passed on 30/9/22)

The present proceedings are initiated pursuant to the Complaint of Complainant dated 05.07.2022 in respect of subject Slum Rehabilitation Scheme. Hereinafter the above 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;

That the Respondent No.1 is a Developer of subject S. R. Scheme. The Letter of Intent and Intimation of Approval is issued

and building plans are also approved. The Complainant has alleged that Architect and Developer of subject S. R. Scheme have deliberately and by false representation to Slum Rehabilitation Authority proposed the building on road alignment. Pursuant to the Complaint, the record of subject S. R. Scheme was verified and it was noticed that the demarcation of plot of subject S. R. Scheme was pending due to non-payment of demarcation charges, so in order to avoid legal complications, the Executive Engineer with prior permission paid the demarcation charges amounting to Rs.6,96,000/- subject to recovery of the same from the Respondent No.1 Developer. A letter was also issued to Respondent No.1 on 30.08.2022 calling upon them to deposit the amount of Rs.6,96,000/- with the Slum Rehabilitation Authority. The CTSO/Andheri was informed to carry out the demarcation of plot of subject S. R. Scheme. Accordingly the demarcation was carried out by CTSO and the copy of demarcation plans is submitted. The CTSO in his plan dated 24.08.2022 has indicated the proposed building as per approved plans in dotted line, from which it is seen that the proposed building falls within the alignment of road.

So hearing was proposed and notices were issued to Respondents and hearing was held on 08.09.2022. The representative of Respondent No.2 Mr. Mahesh Desai remain present. Nobody remain present for Respondent No.1 Developer. The representative of Respondent No.2 is heard and directions were given to submit written submissions within 7 days. However, no written submissions are submitted.

It is the contention of Complainant that as per approved plans of Slum Rehabilitation Authority, the proposed building falls within road alignment. The Developer and Architect have obtained the approved plans by making false representation. On receipt of

Complaint the Engineering Department has verified the record and it was noticed that the plot demarcation of subject S. R. Scheme was pending. So in order to avoid legal complications it was proposed to get done the demarcation of the plot of subject S. R. Scheme and the demarcation charges of Rs.6,96,000/- were paid by Slum Rehabilitation Authority subject to recovery of the same from Respondent No.1 Developer. A letter dated 30.08.2022 was also issued to Developer calling upon him to deposit the amount of Rs.6,96,000/- with Slum Rehabilitation Authority. The CTSO/Andheri was informed to conduct the demarcation of the plot. Accordingly CTSO has carried out the demarcation and forwarded copy of plan dated 24.08.2022. In said plan the CTSO has indicated the proposed building as per approved plan of Slum Rehabilitation Authority in green dotted line, from which it clearly appears that the part of proposed building is on existing road. As stated hereinabove the Respondent No.1 was called upon to remain present for hearing but Respondent No.1 preferred to remain absent. Even the Respondent No.1 has not submitted written submission on record. The plan of CTSO clearly reveals that the part of proposed building is on existing road which needs to be rectified. The note of Executive Engineer reveals that the Developer has not yet started the construction so it will be just and proper to direct the Respondents to amend the plans and to rectify the error. Unless and until the plans are amended the Developer is not entitled to start the construction. Accordingly following order is passed.

ORDER

1. Since the proposed building as per sanctioned plan falls within road alignment, the Respondents are directed to obtain fresh Intimation of Approval in accordance with rules, regulations and policy of Slum Rehabilitation Authority.

3
CEO / SRA



2. Till obtaining fresh Intimation of Approval the Respondents are directed not to initiate any construction at site and earlier Intimation of Approval stands cancelled.


Chief Executive Officer
Slum Rehabilitation Authority

Place:- Mumbai

Date:- 30 SEP 2022

No. SRA/CEO/M/s.Priya Construction Co./ 48 /2022.

Date: 30 SEP 2022

Copy to:

1. Mr. Rajesh Munnilal Singh
Ramnagar Development Corporation Building No.9,
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Mira Road (East), Thane – 401 107.
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510-511, C Wing, 5th floor,
Trade World, Kamla Mill Compound,
Senapati Bapat Marg,
Lower Parel, Mumbai-400 013.
4. Deputy Chief Engineer/SRA
5. Executive Engineer (K/W Ward)/SRA
6. Competent Authority-3 /SRA
7. Tahsildar/SRA
8. Finance Controller/SRA
9. Chief Legal Consultant/SRA
10. Joint Registrar(E & W)/SRA
11. IT Officer/SRA
12. DSLR/SRA

