

**SLUM REHABILITATION AUTHORITY  
BEFORE THE DEPUTY CHIEF ENGINEER,  
SLUM REHABILITATION AUTHORITY,  
BANDRA (EAST), MUMBAI**

Slum Rehabilitation Authority

... Applicant

V/s.

1. M/s. Unity Land Consultancy  
Through its proprietor,  
Mr. Pramod Pandurang Pisal  
1<sup>st</sup> Floor, M Residency, Kurla  
Kadam CHS Ltd. Jagruti Nagar,  
Kurla (East), Mumbai – 400 024
2. Mahatma Phule SRA CHS (Prop.)  
Through its Chief Promoter,  
Mr. Janardhan Asaram Magre,  
CTS No.61 (pt), Mauje Chembur,  
Mahatma Phule Nagar, Vasantao  
Naik Mahamarg, Opp. Postal Colony,  
Chembur, Mumbai – 400 071
3. Peoplezz Realty LLP  
Shop No. 1215/1216,  
Ghanshyam Enclave, Lalji Pada,  
Link Road, Kandivali (West),  
Mumbai – 400 067
4. Mahatma Phule SRA CHS (Prop.)  
Through its Chief Promoter,  
Mr. Deepak Yashwant More,  
CTS No.61 (pt), Mauje Chembur,  
Mahatma Phule Nagar, Vasantao  
Naik Mahamarg, Opp. Postal Colony,  
Chembur, Mumbai – 400 071
5. Mr. Suresh Sakharam Natekar,  
Mahatma Phule SRA CHS (Prop.)  
CTS No.61 (pt), Mauje Chembur,  
Mahatma Phule Nagar, Vasantao  
Naik Mahamarg, Opp. Postal Colony,  
Chembur, Mumbai – 400 071



... Respondents

**ORDER**

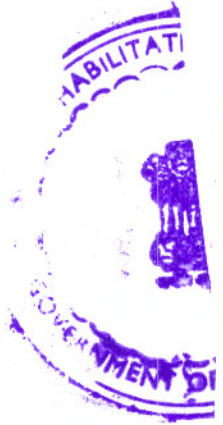
(Passed on 12-02-24)

These proceedings are initiated pursuant to the directions of Hon'ble High Court in order dated 08.12.2023 in Writ Petition (L) No.32942 of 2023. Through said order the Hon'ble High Court directed this Authority to hear parties afresh after giving due notice and pass reasoned order within a period of 10 weeks from the date of order. The brief facts which lead to present proceedings are as under;

**BRIEF FACTS**

The record reveals that the slum dwellers residing on plot of land bearing on land CTS No.61(pt) of Village Chembur have formed Mahatma Phule SRA CHS (Prop.) and resolved to redevelop the land admeasuring 3750.00 sq. mtrs. in their occupation. Hereinafter the above said Slum Rehabilitation Scheme is referred to and called as "subject SR Scheme". The said society has earlier appointed one M/s. Shrushti Raj Enterprises (India) Ltd. as their developer. The appointment of M/s. Shrushti Raj Enterprises (India) Ltd. is terminated by Deputy Collector (E.S.)/SRA through order dated 14.02.2018 and thereafter the Respondent No.1 is appointed as developer in place of M/s. Shrushti Raj Enterprises (India) Ltd. on the basis of Special General Body Meeting dated 13.04.2018.

The record further reveals that Mahatma Phule SRA CHS (Prop.) through Chief Promoter Shri Dilip Asharam Magare has challenged the said Special General Body Resolution dated 13.04.2018 before Hon'ble Apex Grievance Redressal Committee in Application No.107 of 2019 alleging that the said Special General Body Resolution is not passed in the presence of members of society. The Hon'ble Apex Grievance Redressal Committee through order dated 07.10.2019 directed the Joint Registrar/SRA to hold the meeting of slum dwellers for appointment of new developer. The said order dated 07.10.2019 is





challenged by Respondent No.1 & 2 in Hon'ble High Court in Writ Petition (L) No.3169 of 2019 & Writ Petition (L) No.3075 of 2019 respectively and the Hon'ble High Court through common order dated 06.02.2020 granted interim stay to Apex Grievance Redressal Committee order dated 07.10.2019 and the said Petitions are still pending.

In the meanwhile, through Public Notice dated 20.04.2022 Slum Rehabilitation Authority recorded 517 dormant proposals in which the subject SR Scheme is at Sr. No.298. The said Public Notice dated 20.04.2022 is challenged by Respondent No.1 before the Hon'ble Apex Grievance Redressal Committee in Application No.154 of 2022. In said Application interim relief was sought by Respondent No.1 and same is rejected by Hon'ble Apex Grievance Redressal Committee through order dated 24.06.2022. The record further reveals that after rejecting the interim relief by Hon'ble Apex Grievance Redressal Committee, the Respondent No.4 has held General Body Meeting on 24.06.2022 in presence of authorized officer of co-operative department of Slum Rehabilitation Authority. Out of total 109 eligible slum dwellers the 75 slum dwellers (i.e. 68.80%) were present and they unanimously appointed the Respondent No.3 as developer.

Later on the Hon'ble Apex Grievance Redressal Committee finally heard the Application No.154 of 2022 and through order dated 11.08.2022 set aside the said Public Notice dated 20.04.2022 in respect of subject SR Scheme. Through said order the Hon'ble Apex Grievance Redressal Committee directed the Slum Rehabilitation Authority to process the proposal of Respondent No.1 further from the stage at which it was prior to passing of the impugned order dated 20.04.2022 and to issue Letter of Intent and further approval for implementation of subject SR Scheme as per rules, regulation and norms of Slum Rehabilitation Authority. The said order dated

11.08.2022 is challenged by Respondent No.3 & 4 in Hon'ble High Court in Writ Petition No.11906 of 2022. The official website of Hon'ble High Court reveals that so far till date there is no any prohibitory order passed by Hon'ble Court in said matter and the same is pending. Thereafter proceedings u/s 13(2) of the Maharashtra Slum Areas (I, C & R) Act, 1971 are initiated in respect of subject SR Scheme on account of inordinate delay on the part of Respondent No.1 developer. After hearing the parties, the Hon'ble Chief Executive Officer/SRA has passed an order dated 02.05.2023 and directed Society to conduct the General Body Meeting and appoint any one as developer among Respondent No.1 & 3 with requisite consent subject to final outcome of pending Writ Petition in Hon'ble High Court.

The said order dated 02.05.2023 is challenged by Respondent No.1 and 2 before Hon'ble Apex Grievance Redressal Committee in Application No.125 of 2023 & Application No.126 of 2023 respectively. Through interim order dated 16.06.2023 the Hon'ble Apex Grievance Redressal Committee has directed Respondent No.1 to proceed with the Scheme subject to final outcome in pending matters before Hon'ble High Court and Hon'ble Apex Grievance Redressal Committee. Accordingly, the Slum Rehabilitation Authority has issued Letter of Intent on 02.11.2023 in favour of Respondent No.1.

The said interim order dated 16.06.2023 is challenged by Respondent No.3 & 4 in Hon'ble High court in Writ Petition No.2989 of 2023 and the Hon'ble Court has heard the matter on 03.11.2023. On said day the parties to the Petition has submitted Consent Minutes of Order dated 03.11.2023 and accordingly the Hon'ble Court through order dated 03.11.2023 has directed to Apex Grievance Redressal Committee to hear and decide matter without influenced by findings of any order as per consent Minutes of Order within a period of 8





weeks. The official website of Hon'ble Apex Grievance Redressal Committee reveals that the said matter is pending.

In the meantime the Respondent No.5 has submitted a complaint dated 06.11.2023 raising strong objection for issuance of Letter of Intent dated 02.11.2023 as the same is based on forged and fabricated Individual Agreements & Consents. Considering the objection raised by the slum dwellers as well as the pendency of Application No.125 of 2023 & Application No.126 of 2023, this Authority stayed the effect of the Letter of Intent through order dated 10.11.2023. The said order dated 10.11.2023 is challenged by Respondent No.1 in Hon'ble High Court in Writ Petition (L) No.32942 of 2023. Through order dated 08.12.2023 the Hon'ble High Court directed this Authority to hear parties afresh after giving due notice and pass reasoned order within a period of 10 weeks from the date of order.

#### **HEARING**

The notices were issued to the Respondents and parties are heard on various dates. On 10.01.2024, On behalf of Respondent No.1 Mr. Pramod Pisal remain present alongwith Advocate Shailesh P. Pal. On behalf of Respondent No.2 Mr. Janardhan Magre remain present alongwith Advocate Lalita Rajguru. On behalf of Respondent No.3 Mr. Pakesh Shetty remain present. On behalf of Respondent No.4 Mr. Deepak More remain present. The parties were heard at length and the matter was closed for order. Liberty was granted to parties to submit their written submissions within seven days.

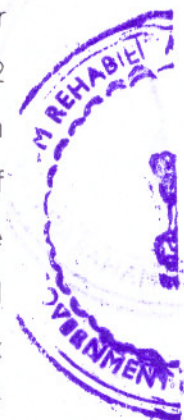
#### **ARGUMENT OF RESPONDENT NO.1**

According to Respondent No.1, initially the society of slum dwellers appointed one M/s. Shrushti Raj Enterprises (India) Ltd. as their developer in the year 2006. Since the year 2006 till 2018, the said developer has failed to implement the subject SR Scheme so the appointment of M/s. Shrushti Raj Enterprises (India) Ltd. is terminated

by Deputy Collector (E.S.)/SRA through order dated 14.02.2018. It is further version of Respondent No.1 that pursuant to said order the society called Special General Body Meeting on 13.04.2018 for appointment of new developer and accordingly majority of slum dwellers of the society appointed them as developer and the said appointment is confirmed by the Slum Rehabilitation Authority through Letter of Acceptance dated 05.02.2019.

According to Respondent No.1 the said appointment is challenged by society of disgruntled slum dwellers upto Hon'ble High Court in Writ Petition (L) No.3169 of 2019 and the Hon'ble High Court through order interim dated 06.02.2020 has permitted them to proceed with the development of subject SR Scheme and Petition is pending. It is further version of Respondent No.1 that they have obtained certified Annexure-II from Competent Authority on 22.10.2022 and also obtained all the permissions for issuance of Letter of Intent. In the meanwhile, through Public Notice dated 20.04.2022 Slum Rehabilitation Authority has recorded 517 dormant proposals in which the subject SR Scheme is at Sr. No.298. It is further version of Respondent No.1 that they have challenged the said Public Notice dated 20.04.2022 before the Hon'ble Apex Grievance Redressal Committee in Application No.154 of 2022 and Hon'ble Apex Grievance Redressal Committee through order dated 11.08.2022 set aside the said Public Notice dated 20.04.2022 in respect of subject SR Scheme and directed the Slum Rehabilitation Authority to process the proposal of Respondent No.1 and to issue Letter of Intent and further approval for implementation of subject SR Scheme as per rules, regulation and norms of Slum Rehabilitation Authority.

According to Respondent No.1 the said order dated 11.08.2022 is challenged by Respondent No.3 and society of disgruntled slum dwellers in Writ Petition No.11906 of 2022 and the same is pending and





there is no any interim order passed by Hon'ble Court. The appointment of Respondent No.1 is continued since acceptance of the proposal by the Slum Rehabilitation Authority, which is confirmed by Hon'ble High Court through order dated 06.02.2020, reaffirmed by Hon'ble Apex Grievance Redressal Committee through order dated 11.08.2022. It is further version of Respondent No.1 that the Slum Rehabilitation Authority has also issued Letter of Intent on 02.11.2023 and thereafter without giving any opportunity proceed to pass an order dated 10.11.2023, thereby stayed the Letter of Intent issued on the basis of frivolous complaint of few disgruntled slum dwellers of society. So the said order dated 10.11.2023 is challenged by them in Hon'ble High Court in Writ Petition (L) No.32942 of 2023 and the Hon'ble Court through order dated 08.12.2023 set aside the order dated 10.11.2023 of this Authority.

It is further version of Respondent No.1 that the complaint filed by society of disgruntled slum dwellers is devoid of merit and suppressing material facts. On these grounds the Respondent No.1 has prayed to reject the complaint of society of disgruntle slum dwellers.

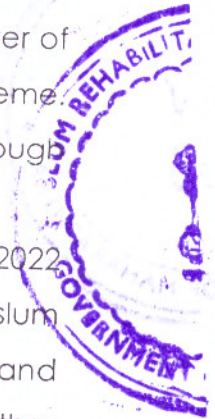
#### **ARGUMENT OF RESPONDENT NO.2**

According to Respondent No.2 initially in the year 2006 they have appointed one M/s. Shrushti Raj Enterprises (India) Ltd. as developer. However since the year 2006 till 2018 the said developer failed to implement the subject SR Scheme, so the appointment of said developer is duly terminated by Deputy Collector (E.S.)/SRA on 14.02.2018. Pursuant to the said order they have appointed Respondent No.1 as developer through Special General Body Meeting dated 13.04.2018 and the said appointment is confirmed by the Slum Rehabilitation Authority through Letter of Acceptance dated 05.02.2019. The appointment of Respondent No.1 is confirmed by the

Hon'ble High Court through order dated 06.02.2020 in Writ Petition (L) No.3169 of 2019 holding that there is no need to hold any other or Special General Body Meeting of the society.

It is the case of Respondent No.2 that the Respondent No.1 has obtained certified Annexure-II from Competent Authority on 22.10.2022 and also obtained all the permissions for issuance of Letter of Intent. But in the meanwhile, through Public Notice dated 20.04.2022 Slum Rehabilitation Authority has recorded 517 dormant proposals in which the subject SR Scheme is at Sr. No.298. The Respondent No.1 has challenged the said Public Notice dated 20.04.2022 before the Hon'ble Apex Grievance Redressal Committee in Application No.154 of 2022 and Hon'ble Apex Grievance Redressal Committee through order dated 11.08.2022 set aside the said Public Notice dated 20.04.2022 in respect of subject SR Scheme and directed the Slum Rehabilitation Authority to process the proposal of Respondent No.1 further from the stage at which it was prior to passing of the impugned order dated 20.04.2022 and to issue Letter of Intent and further approval for implementation of subject SR Scheme. The said Public Notice is also set aside by Hon'ble High Court through order dated 10.01.2023 in Writ Petition No.14017 of 2022.

According to Respondent No.2 the said order dated 11.08.2022 is challenged by Respondent No.3 & society of disgruntled slum dwellers in Writ Petition No.11906 of 2022 and the same is pending and there is no any interim order passed by Hon'ble Court. It is further version of Respondent No.2 that the Respondent No.3 has no locus to represent as developer of subject SR Scheme pursuant to the orders of Hon'ble Apex Grievance Redressal Committee and Hon'ble High Court. It is further version of Respondent No.2 that the Slum Rehabilitation Authority has issued Letter of Intent on 02.11.2023 in favour of Respondent No.1 and thereafter without giving any





opportunity proceed to pass an order dated 10.11.2023 thereby stayed the Letter of Intent on the basis of frivolous complaint of few disgruntled slum dwellers of society. So the said order dated 10.11.2023 is challenged by them in Hon'ble High Court in Writ Petition (L) No.32942 of 2023 and the Hon'ble Court through order dated 08.12.2023 set aside the order dated 10.11.2023 of this Authority. On these grounds the Respondent No.2 has prayed to reject the complaint of society of disgruntle slum dwellers.

**ARGUMENT OF RESPONDENT NO.3 & 4**

Though the Respondent No.3 & 4 has filed the separate written submissions on record, the sum and substance of the arguments of both Respondents are identical. According to these Respondents there are total 265 slum dwellers residing on said land and out of which 109 slum dwellers are eligible. Initially in the year 2006 the proposal of subject SR Scheme is submitted by one M/s. Shrushti Raj Enterprises (India) Ltd. Since the year 2006 to 2013, there was absolutely no progress in the subject SR Scheme. It is alleged by these Respondents that, since M/s. Shrushti Raj Enterprises (India) Ltd. was not financially capable hence the subject SR Scheme is sold to Respondent No.1. It is further version of these Respondents that the Respondent No.1 also obtained order of Deputy Collector (E.S.)/SRA u/s 13 (2) of the Maharashtra Alum Areas (I, C & R) Act, 1971 thereby terminating the appointment of M/s. Shrushti Raj Enterprises (India) Ltd. through order dated 14.02.2018.

It is the case of these Respondents that pursuant to said order, Special General Body Meeting was held on 13.04.2018 in absence of Assistant Registrar/SRA as well as contrary to Circular no.144 of Slum Rehabilitation Authority. According to these Respondents the minutes of said Special General Body Meeting dated 13.04.2018 is signed by only three persons out of which names of two persons are not

reflected in draft Annexure-II. It is the case of these Respondents that one Mr. Dilip Magre claiming to be Chief Promoter of society requested to appoint co-operative officer of SRA to attain the General Body Meeting to be held on 11.07.2018 and accordingly through order dated 02.07.2018 Mr. Dhanraj Pawar was appointed as authorized officer for conducting Meeting dated 11.07.2018. The Hon'ble Additional Principal Secretary, Housing Department through order dated 10.07.2018 has directed authorized officer Mr. Dhanraj Pawar not to attain the said Meeting till next seating of Hon'ble Apex Grievance Redressal Committee. Accordingly the Hon'ble Apex Grievance Redressal Committee through order dated 25.10.2018 vacated the stay and upheld the order of appointment of co-operative officer, Mr. Dhanraj Pawar.

According to these Respondents the legal department of SRA has opined the Slum Rehabilitation Authority to take steps to appoint one Managing Committee and meeting for appointment of developer to be conducted in presence of Assistant Registrar on 15.01.2019. In spite of these facts the Hon'ble Chief Executive Officer/SRA has passed an order holding alleged Special General Body Meeting conducted on 13.04.2018 is proper and no new General Body Meeting was required.

According to these Respondents, the society through Chief Promoter Mr. Dilip Asharam Magare has filed Application No.107 of 2019 before the Hon'ble Apex Grievance Redressal Committee challenging the said Special General Body Resolution dated 13.04.2018 and the Hon'ble Apex Grievance Redressal Committee through order dated 07.10.2019 has observed that appointment of Respondent No.1 through Special General Body Meeting dated 13.04.2018 has no authenticity in the eyes of law and directed the Joint Registrar/SRA to hold the meeting of slum dwellers for





appointment of new developer in the presence of Authorized Officer of Co-operative department of Slum Rehabilitation Authority. The said order dated 07.10.2019 is challenged by Respondent No.1 & 2 in Hon'ble High Court in Writ Petition (L) No.3169 of 2019 & Writ Petition (L) No.3075 of 2019 respectively and the Hon'ble High Court through common order dated 06.02.2020 granted interim stay to Apex Grievance Redressal Committee order dated 07.10.2019 and directed Respondent No.1 to proceed with the development of subject SR Scheme and no equity can be claimed by it since the Petition is still pending.

It is further version of these Respondents that through Public Notice dated 20.04.2022, the proposal of Respondent No.1 is recorded by the Slum Rehabilitation Authority. The said Public Notice dated 20.04.2022 is challenged by Respondent No.1 before the Hon'ble Apex Grievance Redressal Committee in Application No.154 of 2022. In said application interim relief was sought by Respondent No.1 and same is rejected by Hon'ble Apex Grievance Redressal Committee through order dated 24.06.2022. After rejecting the interim relief by Hon'ble Apex Grievance Redressal Committee, the Special General Body Meeting was conducted in presence of officers of co-operative department of SRA as per circular no.144 of SRA. In said Meeting out of total 109 eligible slum dwellers, the 75 slum dwellers (i.e. 68.80%) were present and they unanimously appointed the Respondent No.3 as developer and thereafter individual Consent were verified by Tahsildar/SRA and forwarded to engineering department to process file for issuance of Letter of Intent on 18.08.2022.

It is further version of these Respondents that the Hon'ble Apex Grievance Redressal Committee finally heard the said Application No.154 of 2022 and through order dated 11.08.2022 set aside the said

Public Notice dated 20.04.2022 in respect of subject SR Scheme and said order is challenged by them in Hon'ble High Court in Writ Petition No.11906 of 2022 and the same is pending. It is further version of these Respondents that the proceedings u/s 13(2) of the Maharashtra Slum Areas (I, C & R) Act, 1971 are initiated in respect of subject SR Scheme on account of inordinate delay on the part of Respondent No.1 developer. After hearing the parties, the Hon'ble Chief Executive Officer/SRA has passed an order dated 02.05.2023 and directed Society to conduct the General Body Meeting and appoint any one as developer among Respondent No.1 & 3 with requisite consent subject to final outcome of pending Writ Petition in Hon'ble High Court.

According to these Respondents the said order dated 02.05.2023 is challenged by Respondent No.1 and Respondent No.2 before Hon'ble Apex Grievance Redressal Committee in Application No.125 of 2023 & Application No.126 of 2023 respectively. The Hon'ble Committee initially granted ad-interim relief on 09.06.2023 and thereafter through another interim order dated 16.06.2023 the Hon'ble Apex Grievance Redressal Committee has directed Respondent No.1 to proceed with the Scheme subject to final outcome in pending matters before Hon'ble High Court and Hon'ble Apex Grievance Redressal Committee. In the light of aforesaid facts, Slum Rehabilitation Authority issued Letter of Intent dated 02.11.2023 without conducting General Body Meeting in presence of Assistant Registrar/SRA as per circular no.144. On these grounds these Respondents prayed to stay the Letter of Intent till the compliance of circular no.144 of Slum Rehabilitation Authority.

#### **REASONS**

The present proceedings are initiated pursuant to the directions of Hon'ble High Court in order dated 08.12.2023 in Writ Petition (L)





No.32942 of 2023. Through said order the Hon'ble High Court directed this Authority to hear parties afresh after giving due notice and pass reasoned order within a period of 10 weeks from the date of order.

The record reveals that the Society of slum dwellers has initially appointed one M/s. Shrushti Raj Enterprises (India) Ltd. as their developer and the appointment of said developer is terminated by Deputy Collector (E.S.)/SRA through order dated 14.02.2018. Thereafter the Respondent No.1 is appointed as developer in Special General Body Meeting dated 13.04.2018 by the society.

There appears to be two rival groups in mahatma Phule SRA CHS. One group is led by Mr. Janardhan Magare, who supports the Respondent No.1, M/s. Unity Land Consultancy. The another rival group is led by Mr. Deepak More, which supports to Respondent No.3, Peoplezz Realty LLP. It is pertinent to note that the Special General Body Meeting dated 13.04.2018 in which Respondent No.1 is appointed as developer was not held in presence of authorized officer of Slum Rehabilitation Authority as per circular no.169 of SRA. According to one group the said Special General Body Meeting dated 13.04.2018 was not held in presence of members of the society.

Further it appears from record that the two rival groups and the alleged developers appointed by them are continuously making complaints against each other and there are several rounds of litigation. Further it appears that the Special General Body Resolution passed in Meeting dated 13.04.2018 appointing Respondent No.1 as Developer is challenged before Hon'ble Apex Grievance Redressal Committee vide Application No.107 of 2019. In said Application the Hon'ble Apex Grievance Redressal Committee through order dated 07.10.2019 directed the Joint Registrar/SRA to hold the meeting of slum dwellers for appointment of new developer. The said order is under challenge in Writ Petition (L) No.3169 of 2019 & Writ Petition (L)

No.3075 of 2019 in Hon'ble High Court. In these Writ Petitions through common order dated 06.02.2020, the Hon'ble High Court has granted stay to the order of the Apex Grievance Redressal Committee.

The record further reveals that in the list of 517 dormant proposals the proposal of subject SR Scheme was also included at Sr. No.298 and Scheme was recorded. The said recording of the Scheme was challenged by Respondent No.1 before Hon'ble Apex Grievance Redressal Committee through Application No.154 of 2022. The interim relief sought by Respondent No.1 was rejected by Hon'ble Apex Grievance Redressal Committee. Further it appears that one of the rival group of society led by Mr. Deepak More held General Body Meeting on 24.06.2022 in presence of Authorized Officer of Slum Rehabilitation Authority as per circular no.169 of SRA. Out of total 109 eligible slum dwellers, the 75 slum dwellers were present and they unanimously appointed Respondent No.3 as developer.

The record further reveals that the Hon'ble Apex Grievance Redressal Committee finally heard the Application No.154 of 2022 filed by Respondent No.1 developer & through order dated 11.08.2022 set aside the Public Notice dated 20.04.2022 in respect of subject SR Scheme and further directed the Slum Rehabilitation Authority to process the proposal of Respondent No.1 from the stage at which it was on 20.04.2022 and to issue Letter of Intent & further approvals as per rule. The said order of Hon'ble Apex Grievance Redressal Committee dated 11.08.2022 is challenged by Respondent No.3 & 4 in Hon'ble High Court through Writ Petition No.11906 of 2022 and said Writ Petition is pending.

In the meanwhile the proceedings u/s 13(2) of the Maharashtra Slum Areas (I, C & R) Act, 1971 were initiated in respect of subject SR Scheme on account of inordinate delay on the part of Respondent No.1. After hearing the parties the Hon'ble Chief Executive





Officer/SRA through order dated 02.05.2023 directed the society to conduct General Body Meeting and appoint any one as developer among the Respondent No.1 & 3 with requisite consent subject to final outcome of pending Writ Petition in Hon'ble High Court.

It appears that the order of Hon'ble Chief Executive Officer/SRA dated 02.05.2023 is challenged by Respondent No.1 & 2 before Hon'ble Apex Grievance Redressal Committee through Application No.125 of 2023 & Application No.126 of 2023. The Hon'ble Apex Grievance Redressal Committee has passed interim order dated 16.06.2023 and directed the Respondent No.1 to proceed with the Scheme subject to final outcome of pending litigation before Hon'ble High Court & Hon'ble Apex Grievance Redressal Committee. Pursuant to said order the Slum Rehabilitation Authority has issued Letter of Intent to Respondent No.1 on 02.11.2023.

The interim order dated 16.06.2023 passed by Apex Grievance Redressal Committee is challenged by Respondent No.3 & 4 in Hon'ble High Court in Writ Petition No.2989 of 2023. The Hon'ble High Court on the basis of Consent Minutes of order has passed the order dated 03.11.2023 and directed the Apex Grievance Redressal Committee to hear and decide the matter without being influenced by findings of any order within eight weeks. The said matter appears to be pending.

The record reveals that the Respondent No.5 submitted a complaint dated 06.11.2023 raising strong objection to the Letter of Intent issued to Respondent No.1. According to Respondent No.5 with requisite majority the society has appointed Respondent No.3 as developer in presence of Authorized Officer of Slum Rehabilitation Authority as per circular no.169 of SRA and the Respondent No.1 has obtained Letter of Intent by submitting false and forged individual Agreements. The Respondent No.5 lastly prayed for holding fresh



General Body Meeting in presence of Authorized Officer of Slum Rehabilitation Authority and by recording bio-metric attendance of slum dwellers. He further prayed to stay the Letter of Intent issued to Respondent No.1.

It is admitted fact that the alleged Special General Body Meeting dated 13.04.2018 in which the Respondent No.1 was allegedly appointed as developer was not held in presence of Authorized Officer of Slum Rehabilitation Authority as per circular no.169 of SRA. It is also part of record that after rejecting the interim relief to Respondent No.1 by Hon'ble Apex Grievance Redressal Committee in Application No.154 of 2022, a meeting of society was held in presence of Authorized Officer of co-operative department of Slum Rehabilitation Authority. Out of total 109 eligible slum dwellers, the 75 slum dwellers were present and they unanimously appointed the Respondent No.3 as developer as per circular no.169 of SRA. The record also reveals that the Respondent No.1 & 2 are not willing for fresh General Body Resolution as per circular no.169 of SRA. The said fact is evident from the conduct of Respondent No.1 & 2. Because in Application No.107 of 2019, the Hon'ble Apex Grievance Redressal Committee passed order directing the Joint Registrar/SRA to hold meeting of slum dwellers for appointment of new developer and the said order of Apex Grievance Redressal Committee is challenged by Respondent No.1 & 2 in Hon'ble High Court.

On careful consideration of facts and circumstances on record, it is crystal clear that there are two rival groups in society. One group is supporting Respondent No.1 developer and another group is supporting Respondent No.3 developer. In order to resolve the controversy once for all it is necessary that a General Body Meeting of society should be held in presence of Authorized Officer of Slum Rehabilitation Authority by video recording as well as recording the



bio-metric presence of eligible slum dwellers as per circular no.169 of SRA for appointment of developer. The resolutions in General Body Meeting as well as all the proceedings shall be subject to final outcome of pending litigation in Hon'ble High Court and Hon'ble Apex Grievance Redressal Committee. Accordingly this Authority proceed to pass following order.

**ORDER**

1. The Assistant Registrar/SRA is directed to hold General Body Meeting of eligible slum dwellers of Mahatma Phule SRA CHS (Prop.) on CTS No.61(pt), Mahatma Phule Nagar, Vasantrao Naik Mahamarg, Chembur for appointment of developer as per circular no.169 of SRA.
2. The Assistant Registrar/SRA to record bio-metric presence of eligible slum dwellers present to the Meeting and conduct video shooting.
3. The order should be held in abeyance for the period of two weeks and Assistant Registrar/SRA to take necessary steps for holding General Body Meeting thereafter only.
4. This order is subject to final outcome of pending litigation before Hon'ble High Court & Hon'ble Apex Grievance Redressal Committee.
5. Till the decision of appointment of developer by society as per circular no.169 of SRA, the Letter of Intent issued on 02.11.2023 to Respondent No.1 is stayed.

Date:

Place:

*[Signature]*  
Deputy Chief Engineer  
Slum Rehabilitation Authority

SRA/ED/OW/2024/7441/mo

No.: SRA/CEO/HC Dir./Mahatma Phule CHS/

/2024

Date:

**12 FEB 2024**



Copy to:

1. M/s. Unity Land Consultancy  
Through its proprietor,  
Mr. Pramod Pandurang Pisal  
1<sup>st</sup> Floor, M Residency, Kurla  
Kadam CHS Ltd. Jagruti Nagar,  
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Mahatma Phule Nagar, Vasantryao  
Naik Mahamarg, Opp. Postal Colony,  
Chembur, Mumbai – 400 071
6. Deputy Collector (Special Cell)/SRA.
7. Dy. Chief Engineer/SRA.
8. Executive Engineer M/W Ward/SRA.
9. Financial Controller/SRA
10. Joint Registrar C.S. (Eastern Suburbs)/SRA
11. Information Technology Officer/SRA.
12. Chief Legal Consultant/SRA.