



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORIGINAL SIDE

PUBLIC INTEREST LITIGATION NO. 109 OF 2019

Vijendra Kumar Rai. ... Petitioner.  
V/s.  
State of Maharashtra and others. ... Respondents.

WITH  
CONTEMPT PETITION (L) NO. 3760 OF 2023  
IN  
PUBLIC INTEREST LITIGATION NO. 109 OF 2019  
WITH  
PUBLIC INTEREST LITIGATION NO. 83 OF 2019  
WITH  
WRIT PETITION NO. 1292 OF 2018

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Ms.Pritha Paul i/b. Ms.Rebecca Gonsalves for Amicus is present.  
Mr.Vijendra Kumar Rai, Petitioner is present in person.  
Mr.L.T.Satelkar, AGP for the Respondent State in PIL-109/19.  
Mr.Sukanta Karmarkar, AGP for the State in PIL-183/2019 and WP-1292/18.  
Mr.A.Y.Sakhare, Senior Advocate with Mr.Vijay Patil for the Respondent- SRA in PIL-109/19 and CONPPL-3760/2023.  
Dr.Milind Sathe, Senior Advocate with Mr.Bhushan Deshmukh, Shakeeb Shaikh, Mr.Aftab Diamondwala and Huda Diamondwala i/b. Diamondwala & Co. for Respondent Nos.9 to 16 in PIL-109/2019 for Respondent Nos.2 to 11 in PIL-83/2019 and for Respondent Nos.2,4 and 6 in WP-1298/2018.  
Mr.Jagdish G. Aradwad (Reddy) for Respondent Nos. 13 to 16 in PIL-109/2019 and for Respondent Nos.7 to 13 in WP-1292/2018.  
Mr.Jamshed Master with Mr.Pavan Gosar i/b. Jayesh R. Vyas for Respondent No.17 in PIL-109/2019.  
Mr.Ativ Patel i/b. AVP Partners for Respondent No.21 in PIL-109/2019.  
Mr.Y.R.Mishra with Mr.D.P.Singh for Respondent No.22 in PIL-

109/2019.

Ms.Oorja Dhond i/b. S.K.Sonawane for Respondent Nos.3 and 4-  
Corpn. in PIL-109/2019.

**CORAM :** NITIN JAMDAR, ACJ. AND  
ARIF S. DOCTOR, J.

**DATE :** 19 July 2023.

**P.C. :**

The learned Amicus who was appointed by order dated 8 December 2022 is not present and a request is made on behalf of the learned Amicus for adjournment. Having noted the order dated 8 December 2022 and the reason given to appoint an Amicus, we are inclined to defer the hearing.

2. Reply affidavits have been filed on behalf of Respondent No.6 and Respondent No.9 in the PIL. The learned Amicus will examine these affidavits and assist the Court as regards these affidavits filed on the next date.

3. The main issue that is involved in this Public Interest Litigation (PIL) is the dues which are payable to the slum dwellers as transit rent. The PIL highlights that substantial dues have not been paid to the eligible slum dwellers by the respective developers.

4. The Slum Rehabilitation Authority (SRA) is a statutory authority which is entrusted with the task of ensuring that the redevelopment of the slums is undertaken in an orderly manner and

that would include the transit rent to be duly paid to the eligible persons/ slum dwellers by the respective developers.

5. The implications of non-payment of transit rent are serious for the slum dwellers. SRA being the statutory body established for the slum development should take proactive measures to ascertain whether the transit rent is being paid to the slum dwellers. If each slum dweller starts resorting to court process for non-payment of dues, it will give rise to substantial litigation which, in fact, is taking place. Therefore the SRA should set up a Nodal Officer and call for representations/ complaints from the co-operative societies of the slum dwellers if they have grievance of non-payment of transit rent. The SRA should give wide publicity to this initiative, will provide a designated telephone number to the said Nodal Officer and email address. The publicity be given in the newspapers and the social media. The co-operative societies of the slum dwellers can then submit their representations/ complaints with necessary particulars to the SRA and thereupon the SRA can proceed to take necessary action. The SRA can indicate the action taken as against such representations/ complaints on their portal. This is in addition to the individual communications to the co-operative societies of slum dwellers which are already made.

6. As far as the contention of Respondent No.9 and the SRA that whenever there is a grievance, the societies of the slum dwellers are approaching the courts of law and, therefore, calling

information from them is not necessary is concerned, this is obviously not a solution and efforts should be made by the statutory authorities that the slum dwellers do not need to approach the courts of law with a grievance of non-payment of transit rent and this is why the SRA should take proactive measures as above.

5. This initiative be taken before the next date and the SRA will apprise the Court of the steps taken, by way of an additional affidavit.

6. Stand over to 9 August 2023.

**ARIF S. DOCTOR, J.**

**ACTING CHIEF JUSTICE**