

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.22172/2019

[Arising out of impugned final judgment and order dated 03-06-2019 in WP No.2987/2018 passed by the High Court of Judicature at Bombay]

M/S GALAXY ENTERPRISES

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No. 170238/2019 - EXEMPTION FROM FILING O.T.
IA No. 168454/2019 - EXEMPTION FROM FILING O.T.
IA No. 141566/2019 - EXEMPTION FROM FILING O.T.
IA No. 141567/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 17-12-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. S.C. Birla, AOR
Mr. Subrat Birla, Adv.
Mr. Rajesh Yadav, Adv.

For Respondent(s) Mr. Sachin Patil, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Geo Joseph, Adv.
Mr. Durgesh Gupta, Adv.
Mr. Risvi Muhammed, Adv.

Mr. Dilip Annasaheb Taur, AOR
Mr. Yogesh Shankpal, Adv.

Mr. Sanjay Kharde, Sr. Adv.
Mr. Satyajeet Kharde, Adv.
Mr. Sunny Jadhav, Adv.
Mr. Sunil Kumar Verma, AOR

Mr. Anand Dilip Landge, AOR
Mr. Makrand Kale, Adv.
Mrs. Sangeeta S Pahune Patil, Adv.

Ms. Revati P. Kharde, Adv.
Mr. Sumit Kumar, Adv.

Mr. Chirag M. Shroff, AOR
Mrs. Mahima C. Shroff, Adv.
Mr. Anand Thumbayil, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. S.C. Birla, learned counsel for the petitioner(s). Having considered the matter in detail we are not inclined to interfere with the judgment and order passed by the High Court.
2. In *Yash Developers Vs. Harihar Krupa Co-operative Housing Society Limited & Ors.* (2024 INSC 559), we recognized the statutory duty of the Slum Rehabilitation Authority (S.R.A) to ensure that the development projects are completed within a stipulated time. In furtherance of the said judgment, we direct S.R.A. to ensure that the project is completed as expeditiously as possible.
3. In paragraph 54 of the order impugned before us, the High Court directed as under:-

"54 ... Even the payments which are stated to be made by the petitioner to the SRA towards part of the land premium, would also not assist the petitioner in the facts of the case. Such payments cannot create any equity much less a legal right with the petitioner to continue with the scheme in the facts as they stand. These amounts as partly being paid are in any case being refunded to the petitioner."

4. Further, the new developer, who is respondent No.6 before us has also filed an affidavit indicating that the amount of Rs.1.5 crores shall be returned to the petitioner. The relevant portion of the affidavit is as under:-

"8. I say that, the answering Respondent already informed the Respondent No. 2 Society that he is ready to deposit amount of Rs.1.5 Cr towards the actual expenses incurred by the Petitioner with SRA and accordingly, the Respondent No. 2 Society by

its letter dated 17.06.2019 informed the SRA about the same."

5. In view of the above statement in the affidavit of respondent No.6, we direct that the amount of Rs.1.5 crores expended by the petitioner shall be reimbursed/paid by respondent No.6 within a period of three weeks from today.

6. With these observations, the Special Leave Petition is disposed of.

7. Pending application(s), if any, shall stand disposed of.

(VIJAY KUMAR)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)