



मुंबई महानगर प्रदेश झोपडपट्टी पुनर्वसन प्राधिकरण
(बृहन्मुंबई महानगरपालिका क्षेत्र वागळून)

**BEFORE THE CHIEF EXECUTIVE OFFICER,
MUMBAI METROPOLITAN REGION, SLUM
REHABILITATION AUTHORITY,
THANE (WEST).**

Shivshankar CHS(Prop.)
Kumar Chawl, Ganeshwadi,
Near Service Road,
Thane (East)- 400601.

... Applicant.

Vs

1. Ganaraj Prasad CHS
(Trough Adv Rajesh Mudholkar),
202/203, Anand Palace, Tembhi Naka,
Opposite Thampa School No.12,
Near District Court, Thane – 400601.
2. Ms. Omkar Construction & Developers (Developer)
Tower Industrial Park, Plot No. A/438,
Road No. 28, Lane -3,
Wagle Estate, Thane – 400601.
3. Ms. Makarand Toraskar & Associates (Architect)
702/A,B,C WiFi Park,
IT Premises Society Limited,
Near Mulund Check Naka,
Wagle Estate, Thane- 400604.

... Respondents.

ORDER

(Passed on 06 AUG 2025)

These proceedings are initiated pursuant to the application of Applicant i.e. “Shivshankar CHS(Prop.)” through its Chief Promoter Smt. Sarita Ramanand Yadav dated 27.12.2024 submitted u/s 3C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971 for declaration of land bearing C.T.S. No. 413(pt.), 414(pt.) and part of road area totally admeasuring 741.69 sq. mtrs. situated at Village-Pachpakhadi (T.P.No.1), Taluka- Thane as “Slum Rehabilitation



Area". Hereinafter the said property is referred to and called as "said land". In brief the facts which lead to the present proceedings are as under;

FACTS IN BRIEF:

The Applicant submitted the present application u/s 3C (1) of the Maharashtra Slum Areas (I, C, & R) Act, 1971 in respect of declaration of said land as "Slum Rehabilitation Area". Along with application the Applicant submitted copies of PR Card, Slum Plan etc. Pursuant to said application the Executive Engineer, Mumbai Metropolitan Region/Slum Rehabilitation Authority, Thane through letter dated 31.12.2024 sought report of the Deputy Director of Land Records, Mumbai Metropolitan Region/Slum Rehabilitation Authority, Thane. The Deputy Director of Land Records, MMR/SRA, Thane submitted his report to Executive Engineer, MMR/SRA, Thane along with GIS plan on 17.04.2025. According to the report of Deputy Director of Land Records, MMR/SRA, Thane dated 17.04.2025, the land bearing C.T.S. No. 413(pt.), 414(pt.) and part of road area totally admeasuring 741.69 sq. mtrs. of Village- Pachpakhadi (T.P.No.1), Taluka- Thane, is liable to be declared as "Slum Rehabilitation Area".

On 29.04.2025 the Executive Engineer, MMR/SRA, Thane and Deputy Director of Land Records, MMR/SRA jointly visited the site and submitted the site visit report of the said land. The said site visit report is on record and forms a part of these proceedings. At the time of visit, they noticed that the conditions prevailing on said land are like slum and the said area lacks basic amenities and is unfit for human habitation. There are pakka slum structures. There are slum structures which are of ground floor and some are ground + 1 structures. The structures close to the road are commercial structures and the rest are residential structures. The slum structures are

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situated closely and in congested manner due to which there is lack of proper sunlight and ventilation. The internal roads are narrow. There is water logging in the rainy season. There are no public toilets on site but the toilet facility is available a little away from the slum structure which is inadequate. Lastly Executive Engineer, MMR/SRA, Thane and Deputy Director of Land Records, MMR/SRA, Thane concluded that there is inadequate toilet facility, narrow lanes with haphazardly situated structures without light and air, poor hygienic conditions is a danger to human life hence it will be just and proper to declare the said land as Slum Rehabilitation Area.

Accordingly, the Public Notice was published in Marathi daily newspapers "Dainik Sakal" on 14.05.2025 & "Dainik Janadesh" on 16.05.2025 respectively and in English daily newspaper "The Free Press Journal" on 14.05.2025 inviting objections if any from general public/interested parties to the proposed declaration.

There is report dated 17.04.2025 of the Deputy Director of Land Records, MMR/SRA, Thane that the land owners appear to be 'Ganaraj CHS Ltd' as per the 7/12 extract but there is no sale and purchase document on record. He contends that during the hearing to procure the sale purchase documents from the concerned parties and then send the hearing notice to the land owner.

HEARING:

That the notices were issued to Applicant as well as Respondents/Objectioners and matter is finally heard on 02.07.2025. On said day, parties remain present and their appearances are recorded in the Roznama. All the present parties were heard at length and the matter was closed for order on 02.07.2025 with directions to exchange their written submission



with each other before 07.07.2025 and to submit their written submission before this Authority. Accordingly, the written submission is submitted by the Respondent Nos. 1 & 2.

ARGUMENT OF APPLICANT:

According to Applicant, the said land is occupied by the Slum dwellers and they have formed proposed society to redevelop the said land in their occupation. There is lack of basic amenities. It is their contention that they are residing in poor hygienic conditions and the said area may become a source of danger to human life. On these grounds the Applicant has prayed for declaration of said land as Slum Rehabilitation Area.

ARGUMENT OF RESPONDENT NO.1:

According to the Respondent No.1 (Ganaraj Prasad CHS) they have purchased the said Final Plot No. 413 and 414 and ground plus 7 storied building consisting of 28 tenements vide Deemed Conveyance adjudication No. 143/2020 dated 20.08.2020 and accordingly they have got their names recorded in the property card of the said land. It is the contention of Respondent No.1 that the Municipal Corporation has not given clear vacant possession of Final Plot No. 414 to the original owner i.e 'Bayeri Alphanso' and others. They further contend that the Final Plot No. 413 area adm. 132.18 sq. mtrs. and final plot No. 414 area adm. 493.67 sq. mtrs. and road set back area 115.84 sq. mtr. totally adm. 741.69 sq. mtr. is not a slum area.

ARGUMENT OF RESPONDENT NO.2:

According to Respondent No.2 (Ms. Omkar Construction & Developers) the Annexure -II of the Applicant Society is dated 26.10.2010 and prepared by Competent Authority & Deputy Commissioner, Encroachment Removal Department, Thane Municipal Corporation, Thane. Further he contends that out of 37

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slum dwellers 30 are eligible slum dwellers and that on 24.03.2006 the said land was declared as slum land under section 3 of the Maharashtra Slum Areas (I, C & R) Act, 1971.

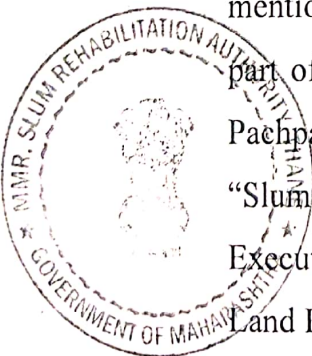
It is the contention of Respondent No.2 that Respondent No.1 Ganaraj CHS has wrongly acquired the Deemed Conveyance on the entire land. According to him there was always slum on the said land and these slum dwellers are living in inhuman conditions. On these grounds the Respondent No.2 has prayed for declaration of said land as Slum Rehabilitation Area.

ISSUES:

1.	Whether the said land is liable to be declared as Slum Rehabilitation Area or Not?	In Affirmative
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DISCUSSION:

The Applicant has submitted the present Application u/s 3C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971. According to Applicant, the said land lacks basic amenities like toilet facility, street light, proper road, ventilation etc. and the slum dwellers residing there are living in unhygienic condition. The record reveals that there is report along with GIS plan dated 17.04.2025 of the Deputy Director of Land Records, MMR/SRA, Thane, wherein it is mentioned that the land bearing C.T.S. No. 413(pt.), 414(pt.) and part of road area totally admeasuring 741.69 sq. mtrs. of Village- Pachpakhadi (T.P.No.1), Taluka- Thane, is liable to be declared as "Slum Rehabilitation Area.". The joint site visit report of the Executive Engineer, MMR/SRA, Thane and Deputy Director of Land Records, MMR/SRA, Thane dated 29.04.2025 clearly reveals that, the conditions prevailing on said land are like slum and there is lack of basic amenities and it is unfit for human habitation. There is



no proper sanitation which may become source of danger to human life. This Authority do not find any reason to discard the site visit report dated 29.04.2025. Since the slum dwellers residing on said land are living in poor hygienic condition and lack basic amenities, it is necessary to declare the said land as Slum Rehabilitation Area.

From the report of Deputy Director of Land Records, MMR/SRA, Thane it appears that from the 7/12 extract the land owners are 'Ganaraj CHS Ltd' but there is no sale and purchase document on record. It is observed that Respondent No.1 contends that they have purchased the said Final Plot No. 413 and 414 and ground plus 7 storied building consisting of 28 tenements vide Deemed Conveyance adjudication No. 143/2020 dated 20.08.2020 and accordingly they have got their names recorded in the property card of the said land. It is pertinent to note that due, to declaration of said land as Slum Rehabilitation Area the rights of the owner shall not be adversely affected in any manner.

In present proceedings the issue for determination of this Authority is as to whether conditions for declaration of said land as Slum Rehabilitation Area exists at site or not. The eligible slum dwellers will have to be rehabilitated. It is observed that Respondent No.2 contends that there is slum in the said area since 2006 as per the Notification dated 24.03.2006 and there is Annexure -II of the Applicant Society dated 26.10.2010 prepared by Competent Authority & Deputy Commissioner, Encroachment Removal Department, Thane Municipal Corporation, Thane. So far as the said area is concerned the same is lacking basic amenities and report of Executive Engineer, MMR/SRA, Thane and Deputy Director of Land Records, MMR/SRA, Thane reveals that said area needs to be declared as Slum Rehabilitation Area in order to improve the standard of living of slum dwellers.

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It is pertinent to note that the present application is only for declaration of said land as Slum Rehabilitation Area. Considering these facts and circumstances on record, this Authority has reached to conclusion that the conditions required for declaration of said land as Slum Rehabilitation Area exists at site. In order to redevelop the said land and to improve the living conditions of slum dwellers it will be just and proper to declare said land as Slum Rehabilitation Area. Accordingly following order is passed.

ORDER

- 1) The application of applicant i.e. "Shivshankar CHS(Prop.)" through its Chief Promoter Smt. Sarita Ramanand Yadav dated 27.12.2024, is allowed as under;
- 2) The land bearing C.T.S. No. 413(pt.), 414(pt.) and part of road area totally admeasuring 741.69 sq. mtrs. situated at Village- Pachpakhadi (T.P.No.1), Taluka- Thane for "Shivshankar CHS(Prop.)" is hereby declared as Slum Rehabilitation Area u/s 3C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971.
- 3) The proceeding stands disposed of.

Place: Thane

Date: 06 AUG 2025



(Sandeep Malvi)
Chief Executive Officer,
MMR, Slum Rehabilitation Authority.

No. MMR/SRA/CEO Order 3C (1)/ "Shivshankar CHS(Prop.)"/630
/2025.

Date: 06 AUG 2025

Copy to:

1. Shivshankar CHS(Prop.)
Kumar Chawl, Ganeshwadi,

- Near Service Road,
Thane (East)- 400601.
2. Ganaraj Prasad CHS
(Trough Adv. Rajesh Mudholkar),
202/203, Anand Palace, Tembhi Naka,
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 4. Ms. Makarand Toraskar & Associates (Architect)
702/A,B,C Wifi Park,
IT Premises Society Limited,
Near Mulund Check Naka,
Wagle Estate, Thane- 400604.
 5. Secretary, MMR/SRA, Thane.
 6. Deputy Chief Engineer, MMR/SRA, Thane.
 7. Executive Engineer, MMR/SRA, Thane.
 8. Competent Authority-1, MMR/SRA, Thane.
 9. DDLR, MMR/SRA, Thane.
 10. Asst. Registrar, MMR/SRA, Thane.
 11. Finance Controller, MMR/SRA, Thane.
 12. Legal Department, MMR/SRA, Thane.
 - ✓ 13. IT Officer, MMR/SRA, Thane.