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# SC relief for penalised slum-dwellers

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**Mumbai:** The Supreme court has overturned the Bombay HC's decision to fine four slum dwellers Rs 10,000 each in connection with a massive slum redevelopment scheme on 30 acres of prime land in Cuffe Parade. The four slum dwellers—Shivaji Jadhav, Asif Khan, Damodar Tandel and Akram Siddiqui—had filed a public interest litigation, challenging the proposed slum rehabilitation project.



There are three slum colonies on the prime plot—Ganesh Murthy Nagar, Dr Ambedkar Nagar and Razzak Nagar—housing over 5,800 people. The petition alleged that they were being coerced to join the rehabilitation scheme floated by Vikram Mittal of Plymouth Constructions.

The HC had dismissed the petition on the grounds that it was premature. The court also questioned the petitioners' ability to spend a large amount of money to file the case. One of the petitioner's Shivaji Jadhav was asked by the HC about his source of income. Jadhav stated he earned barely Rs 2,000 to Rs 5,000 a month, but stated he collected the money for the case by "begging".

The division bench of Justice Bilal Nazki and Justice S A Bobde did not believe the petitioners' claim and observed that the PIL was filed by some-

body else and the petitioners were being used to abuse the process of law. "Therefore, we impose costs of Rs 10,000 each on them so that in future such acts are not repeated," the bench said.

Subsequently, the slum dwellers filed an SLP in the SC. Last week, the SC said the HC's direction to pay cost by the petitioners stands "deleted". "As the scheme for rehabilitation is not so far approved, we make it clear that the petitioners would be at liberty to take appropriate proceedings at that time. When any such petition is filed, the court may consider the same uninfluenced by any of the observations made by the high court," said the SC.

The petitioners had maintained that the developer, Plymouth Constructions, showed that it had the mandatory 70% consent of the slum dwellers to redevelop the plot.

The slum redevelopment project, spread over 1.27 lakh sq m, and estimated to be worth several thousand crores, has been mired in controversies. The area is called Block 6 in the Backbay Reclamation where over 6,300 slum-dwellers live close to the coastline in an area surrounded by mangroves.

The petitioners said the PIL was to prevent government lands occupied by slum dwellers from being taken over by developers.

The petitioners alleged that MMRDA, which is in charge of the Backbay Reclamation, tried to help the developer in 2004 by mentioning the plot's city survey number when no such number was allotted that year.