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## Court calls PIL premature, makes slumdweller pay

Mumbai: The Bombay high court on Wednesday directed four Cuffe Parade residents to shell out Rs 10,000 each as fine while dismissing their PIL that challenged a proposed slum rehabilitation project near the World Trade Centre.

Agreeing with the state's contention that the PIL was premature, a division bench of Justice Bilal Nazki and Justice Sharad Bobde also expressed doubts about the bona fides of the petitioners.

The petitioners—Shivaji Jadhav, Asif Khan, Damodar Tandel and Akram Siddiqui—are all slumdweller residing in the area. The court raised questions about their financial capacity to engage in litigation that would entail considerable expenses.

Advocate general Ravi Kadam pointed out that Jadhav had paid Rs 33,000 in cash to obtain information under the RTI Act. Jadhav, on being questioned by the judges, said his monthly income was between Rs 2,000 and Rs 5,000. "We cannot believe that an economically-backward person can afford such a huge amount," said the judges, adding the petitioners seem to have been used

by some vested interests. Jadhav said he had obtained the money "by begging". Senior counsel Janak Dwarkadas and Rahul Narvekar—representing Plymouth Constructions—argued that the PIL was not bona fide.

The petitioners had filed the plea, challenging a proposed slum rehabilitation project coming up on a sprawling 89 acres in Cuffe Parade. At present, there are three slum colonies on the prime plot—Ganesh Murthy Nagar, Dr Ambedkar Nagar and Razzak Nagar—housing over 5,800 slumdweller. The petition alleged that they were being pressured to join the rehabilitation scheme floated by Vikram Mittal of Plymouth Constructions.

Kadam informed the court that the Slum Rehabilitation Authority had not yet sanctioned any rehabilitation project on the plot and Plymouth's scheme had not been approved. Rajiv Kumar, counsel for the petitioners, submitted that the PIL was not premature. But the court agreed with Kadam and asked each of the four petitioners to shell out Rs 10,000 each as fine to dissuade others from misusing the law.