

Jabbar Khan s/o Gulab Khan & others Petitioners

Versus

State of Maharashtra & others

Respondents

Mr.Zia Ul Mustafa, advocate for petitioners

Mr.S.G.Karlekar, A.G.P. for Respondents No.1 & 3 to 6.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 04th September, 2015

PER COURT:

Petitioners, in all these petitions, undertake to tender an undertaking to the effect that they would vacate encroached premises and hand over possession of the encroached portion back to the Municipal Council within a period of two months from today. Petitioners shall also furnish an undertaking that they will not create any third party interest and will not change nature of the site during the period of their occupation. The undertaking shall be tendered within one week from today. Subject to the presentation of an undertaking to this Court, the Municipal Council shall not take coercive measures for eviction of petitioners until expiry of period of two months from today. On expiry of period of two months from today, if petitioners fail to hand over back possession of encroached premises to the Municipal Council, it would be open for the Municipal Council to adopt coercive means and recover back possession of the encroached premises/portion.

With the directions as above, writ petitions stand disposed of.

**P.R.BORA
JUDGE**

**R.M.BORDE
JUDGE**