

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 945 OF 2014**

Haeem H. Birwadkar

..Petitioner

Vs.

Charity Commissioner & Ors.

..Respondents

Mr. Rugved R. Lokare i/b Mr. R.V. Govilkar for the Petitioner

Mr. R. D. Soni a/w Ms Uma Sharma i/b Dharam & Co. for the Respondent No.5

CORAM : R. M. SAVANT, J.

DATE : 22nd June, 2015

P.C.

1 The Learned Counsel for the Respondent No.5 states that the Petitioner has executed a joint undertaking dated 23-4-2015. In the said undertaking, by virtue of clause (6) thereof the Petitioner has agreed to the redevelopment of the property by the Respondent No.5 i.e. Yusuf Jamir Kazi and has also agreed to the demolition of rooms i.e. Room Nos.18 and 19, which according to the Learned Counsel for the Respondent No.5 have been demolished on 26-5-2015. The Learned Counsel for the Respondent No.5 states that the usual agreement would be entered into with the Petitioner. In view of the said settlement there is now no warrant to keep the above Petition pending which therefore to accordingly stand disposed of as having turned infructuous. The Learned Counsel for the Respondent No.5 states that a photocopy of the said joint undertaking would be placed on record. The said photocopy to be marked as "X" for identification.

[R.M.SAVANT, J]