

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2686 OF 2015
IN
WRIT PETITION NO. 4015 OF 2002

Hirji Ramji Thakkar .. Applicant
VS.
Moreshar V. Kale, since deceased
through heirs & L.Rs. .. Respondents

Mr. Akshay Shah i/b. Mr. Ajit C. Shah for Applicant
Mr. H. Toor i/b. Mr. N. Pawar for Respondents.

CORAM : M. S. SONAK, J.
DATE: 23 SEPTEMBER 2015

P.C. :

1] Mr. Milind Moreshwar Kale, the Respondent No. 1B on behalf of self and on behalf of other respondents has filed an undertaking to this Court stating that after the demolition of the old building, which contains suit / writ petition premises (being Block No. 4 on first floor), a residential premises of an area (carpet) equivalent to the carpet area of the suit / writ petition premises will be constructed, reserved and kept available in the new building to be constructed in the place of the said old building, within a period of two years from the date of Commencement Certificate to be issued by the Municipal Corporation, subject to the final outcome of this writ petition. The undertaking is taken on record and marked as 'X' for the purposes of identification. The undertaking is accepted as an undertaking to this Court.

2] The aforesaid undertaking will afford substantial interim relief to the petitioner. Accordingly, there is no necessity to make any further orders in this civil application.

3] Civil application is disposed of accordingly.

4] Further since the petition is of the year 2002, place the writ petition for final hearing in the week commencing from 4 January 2016.

(M. S. SONAK, J.)

Chandka

CERTIFICATE

“Certified to be true and correct copy of the original
signed Order.”