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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1687 OF 2015

Bhaskar Puranchander Kothari. ... PETITIONER

VERSUS

Union of India and anr. ... RESPONDENTS

...

Mr. Sindhu Shajee i/b Mr. Vishal B. Punwani, Advocate for the Petitioner.
Mr. Y. S. Bhate a/w Mr. Dhanesh R. Shah, Advocate for the Respondents.

...

CORAM : **ANOOP V. MOHTA &
V. L. ACHLIYA, JJ.**

DATE : 17th June, 2015.

P.C.:

. Pursuant to the order passed by this Court on 15th June, 2015, the Respondents are permitting the Petitioner and his family to re-occupy Quarter No.R11/4GI with immediate effect subject to signing of undertaking today itself. The Respondents will also make arrangement to provide temporary passes so that they can occupy the premises with all amenities. The Petitioner is also required to handover the following documents immediately:

- (1) Indian Armed Forces Identity Card No.1164495
- (2) Dependent Card
- (3) Indian Naval Canteen Smart Card
- (4) Indian Navy Pay Book

2 The statement is made by the learned counsel appearing for the Respondents that Presiding Officer of Armed Forces Tribunal is available now from Monday i.e. 22nd to 26th June, 2015. Therefore, the Petitioner can approach to the Tribunal and get appropriate order even on merits of the matter. It is made clear that we have not dealt with the merits of the matter. All points are kept open.

3 However, the order so passed today permitting the Petitioner to occupy the premises on above undertaking, shall remain in force for two weeks from today. The learned Tribunal to decide the case on merits uninfluenced by any observations made in this order even on the issue of accommodation in question in accordance with law.

4 Mr. Lt. Cdr, Nitin Roy, Dy. Judge, Advocate, HQ, Mumbai are present in the Court. Therefore, for want of copy, the compliance of order so passed above need not be delayed.

5 Petition is accordingly disposed of. All points are kept open. No costs.

6 Parties to act on the authenticated copy of this order.

[V. L. ACHLIYA, J.]

[ANOOP V. MOHTA, J.]