

Developer has issued an account payee cheque drawn on Axis Bank Ltd., Crawford Market, Mumbai branch, in favour for Rs. 4,40,000/- being 11 months rent / compensation, at the rate of Rs. 40,000/- per month. The cheque is handed over to the learned counsel appearing on behalf of the Petitioner, and it is accepted. Petitioner has also given an undertaking in his affidavit that he shall hand over the premises within one week from today. In our view, considerable time has elapsed and therefore, we direct the Petitioner to hand over possession till 21st June, 2015 and if possession is not handed over by 21st June, 2015 at 5.00 p.m., MHADA shall execute the order issued under Section 95-A of the M.H.A.D. Act, 1976.

3. The counsel appearing on behalf of the Petitioner has submitted that there is one problem that his prayer for alternate accommodation is not considered. In our view, we can't go into the said question at this stage of the petition. Writ petition is accordingly disposed in the aforesaid terms.

Sd/-

[B. P. COLABAWALLA, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemth