

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 34 OF 2016

MR.PRASAD TAMBAKESHWAR TENDOLKAR. ... Petitioner
Versus
ULHAS DATTA DESSAI AND 3 ORS., ... Respondents

Mr. A. D. Bhobe, Advocate for the Petitioner.
Mr. Raunaq Rao, Advocate for the Respondent no. 1.
Ms. Priyanka Kamat, Addl. Government Advocate for the
Respondent nos. 3 and 4.

Coram:- C. V. BHADANG, J.

Date:- 3rd May, 2016

P.C.

The learned Counsel for the Respondent no. 1 has produced a statement cum undertaking duly signed and affirmed by the first Respondent by which the Petitioner has undertaken to pay sum of Rs.50,000/- towards the arrears to the Petitioner and further undertaking to pay a sum of Rs.1,00,000/- on or before 30.05.2016 towards the amounts payable for the months of February 2016 to May 2016 and undertaking to continue to pay the Petitioner a sum of Rs.8,000/- per month and maintenance charges.

2. The learned Counsel for the Petitioner, on instructions, states that this Court may dispose of the Petition in view of the undertaking by the first Respondent. He also submits that subject to the compliance with the undertaking, the Petitioner will give no objection to the concerned statutory authorities for release/re-connection of the water

and electricity connection. He, therefore, submits that appropriate Orders be passed in this regard. This will be without all rival contentions of the parties including as to the quantum payable as may be raised in Regular Civil Suit no. 164 of 2015 and the counter claim therein.

3. The learned Addl. Government Advocate for the Respondent nos. 3 and 4 submits that the first Respondent would be entitled to re-connection of the water and electricity connection subject to clearance of the arrears as on today by the Respondent no. 1.

4. In such circumstances, the undertaking by the first Respondent is accepted. The Petition is accordingly disposed of in terms of the undertaking. The rival contentions of the parties in Regular Civil Suit no. 164 of 2015 and the counter claim therein are left open.

5. Needless to mention that re-connection of the water supply/electricity connection to the Respondent no. 1 shall be subject to clearance of arrears by the Respondent no. 1 towards electricity and water charges.

C. V. BHADANG, J.

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