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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2080 OF 2016

GIC Housing Finance Ltd.

.. Petitioner

Vs.

1. State of Maharashtra and ors.

.. Respondents

Mr. Madhur Rai i/by PRS Legal for petitioner.

Mr. K. V. Saste, APP for State.

Mr. P. R. Yadav for respondent Nos. 4 and 5.

CORAM: NARESH H. PATIL &
PRAKASH D. NAIK, JJ.

JUNE 21, 2016.

P.C.

1. Mr. Nayan Eknath Ghag, who is Group Head and Authorized representative of the petitioner - GIC Housing Finance Limited filed written undertaking today, which is taken on record and marked "X" for identification. Para 4 of the said undertaking reads as under :-

"4. In view of the aforesaid direction, the Petitioner hereby undertakes to this Hon'ble Court that, the Petitioner shall vacate the Suit Premises and shall remove all its Articles lying

in the suit premises within a period of 2 (two) weeks, from the date of Order under the presence and protection from the concerned police station i.e. Respondent No.3 herein AND will not claim any rights over the suit premises. The Petitioner has already paid the rent for the Month June 2016 to the Respondent No. 4 & 5, in respect of the Suit Premises”.

2. During the course of the hearing, learned counsel appearing for the petitioner, on instructions, submits that within one week from today, the petitioner shall vacate the suit premises and shall remove all articles belonging to the petitioner lying in the suit premises.

3. Learned counsel appearing for respondent nos. 4 and 5, on instructions, submits that on the aforesaid undertaking, the respondent nos. 4 and 5 would remove the lock put up by them on the suit premises and allow the petitioner to remove the articles of the petitioner lying in the suit premises.

4. Learned counsel appearing for the petitioner, on instructions, submits that in view of the above settlement, the proceeding initiated under Section 145 of Cr. P. C. before the Collector, Palghar, would also be withdrawn.

5. Learned counsel for the petitioner prays for placing two police constables during the process of vacating the suit premises.

6. On making such a request by the petitioner to the concerned police station, two police constables be provided to the petitioner, on petitioner bearing the charges, for the period of one week during 10 a.m. to 6 p.m. The period of one week would begin from tomorrow i.e. 22/6/2016.

7. Petition is disposed of accordingly.

8. All concerned to act on an authenticated copy of this order.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL,J.)