

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

WRIT PETITIOIN NO. 3149 OF 2014

|                          |   |             |
|--------------------------|---|-------------|
| Mr. Sandeep Vasant Bane  | } |             |
| and Anr.                 | } | Petitioners |
| versus                   |   |             |
| The State of Maharashtra | } |             |
| and Ors.                 | } | Respondents |

Ms. Swati Sawant i/b. Mr. Mujjaffar Y.  
Patel for the petitioners.

Ms. Uma Palsuledesai - AGP for  
respondent nos. 1 to 3 (State).

CORAM :- S. C. DHARMADHIKARI &  
B. P. COLABAWALLA, JJ.

DATED :- OCTOBER 6, 2016

P.C. :-

1. After the writ petition was argued for some time and we brought to the notice of the learned AGP the Division Bench judgment of this court affirming the views taken by two learned Single Judges, including one brought to our notice in Writ Petition No. 903 of 2014, decided on 26<sup>th</sup> June, 2014, it was conceded that the order passed on 30<sup>th</sup> July, 2014 Annexure 'P' to the petition cannot be sustained.

2. Ms. Palsuledesai, on instructions, states that the petitioners having lodged an agreement of tenancy, that agreement/

document will be registered within a period of two weeks from today. We accept the statement made by Ms. Palsuledesai, on instructions, as an undertaking given to this court. We direct accordingly. Once this concession is given, the writ petition succeeds. The impugned order is quashed and set aside. The writ petition is disposed of in terms of the above directions.

(B.P.COLABAWALLA, J.)      (S.C.DHARMADHIKARI, J.)