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

WRIT PETITION (L.) NO.2939 OF 2016

Mrs. Maharasi S. Venkatachalam	... Petitioner
Versus	
The State of Maharashtra and Ors.	... Respondents

Mr. Bhavesh Parmar i/by Vijay Prakash Yadav for the Petitioner.

Mr. Amar Mishra, AGP for the Respondent No.1.

Mr. P.G. Lad, AGP for the Respondent No.2.

Mr. Saket Mone a/w Ms. Mamta Shah and Mr. Subit Chakraborti i/by Vidhi Partners for the Respondent Nos.5 and 6.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 7th DECEMBER, 2016

P.C.

1 Heard the learned counsel appearing for the Petitioner and the learned counsel appearing for the Respondent Nos.5 and 6. An agreement of permanent alternate accommodation has been executed by and between the Petitioner and the fifth and sixth Respondents. The learned counsel appearing for the fifth and sixth Respondents states that the said agreement will be lodged for registration within a period of two weeks from today. We accept the said statement made on instructions.

2 The learned counsel appearing for the Petitioner on instructions states that the Petitioner will vacate the premises in her possession subject matter of this Petition on or before 9th December, 2016 and will hand over vacant and peaceful possession to the Respondent No.6. We accept the said statement.

3 In view of the execution of the agreement and in view of the aforesaid statements which are accepted as undertakings of respective parties, it is not necessary to entertain this Writ Petition. The learned counsel appearing for the Respondent No.6, on instructions of Respondent No.6 states that post-dated cheques representing monthly compensation for acquiring temporary accommodation for a period of 18 months shall be handed over to the Petitioner at the time of the Petitioner delivering vacant and peaceful possession of the premises to the sixth Respondent. We accept the said statement as undertaking of the sixth Respondent.

4 We clarify that the order of eviction passed under Section 95(A) of the Maharashtra Housing and Area Development Act, 1976 shall not be implemented till 9th December, 2016.

5 On failure of the Petitioner to vacate the premises in terms of the aforesaid undertaking, it will be open for the Authorities to implement the said order. The Petition is disposed of.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)