

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.738 OF 2016
AND
CHAMBER SUMMONS(ST) NO.367 OF 2016
IN
WRIT PETITION NO.1168 OF 2016
WITH
WRIT PETITION NO.1168 OF 2016

Pundalik B. Berde & Ors.

...Applicants

Versus

The Maharashtra Housing and Area
Development Authority, through
Chief Officer & Ors.

...Respondents

...

Mr. Shreepad Murthy with Mr. Abhishek Patil i/b. Mr. Anand Nikhil for
the Applicants.

Mr. Girish Utangale with Mr. Chetan Mhatre i/b. Utangale & Co. for
Respondent Nos.1 and 2.

Mr. Hemand S. Rajthattha i/b. M/s. RMG Law Associates for
Respondent No.4.

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

DATED : 5th DECEMBER, 2016.

P. C. :

The Consent Minutes of the order duly signed by all the
Petitioners except the Petitioner No.8, the Advocate for the Petitioners,
the Respondent No.4, the Advocate for the Respondent No.4, the
Respondent No.6 and the Advocate for Respondent No.6, are taken on

record and marked as 'X-1' for identification. There is no dispute between the parties to the Consent Minutes of Order that the Petitioner No.8 has already vacated the premises in his possession and the premises has been already demolished. It is an admitted position that the Petitioner No.8 has already executed an agreement with the Respondent No.4 for grant of permanent alternate accommodation.

2. It is stated that all the Petitioners except the Petitioner No.8 are personally present in the Court. The said Petitioners have given undertakings which are recorded in paragraph Nos.4 and 5 of the Consent Minutes of Order.

3. Accordingly, following order is passed :-

ORDER

- (i) The petition stands disposed of in terms of the Consent Minutes of Order taken on record and marked 'x-1' for identification;
- (ii) The undertakings of the Petitioners except the Petitioner No.8 recorded in paragraph Nos.4 and 5 of the Consent Minutes of Order, are accepted;
- (iii) The statements made by Respondent Nos.4 and 6 in the Consent Minutes of Order and particularly in paragraph

No.6 are also accepted;

(iv) The pending notice of motion and / or Chamber

Summons do not survive and the same are disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)