

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 1070 OF 2014

Priya Hiroo Wadhwani ...Appellant
Versus
Shrinivasa (Mulund) Coop Hsg Soc Ltd & Anr ...Respondents

Mr KH Kanojia, *for the Appellant.*
Mr Meelan Topkar, *with Vaishali Bhilare, for the Respondents.*

CORAM: G.S. PATEL, J
DATED: 17th July 2017

PC:-

1. The Appellant has handed over possession over the weekend. This is confirmed by the 2nd Respondent-Developer. The agreement for permanent alternative accommodation has also been executed. The 2nd Respondent agrees and undertakes to this Court to execute the flat purchase agreement and to have it registered on the same basis as is being done with all other members of the Society.

2. As regards the transit rent, the agreed rate is Rs 35/- per square feet. This is noted. It is payable from the date of handing over possession till delivery of possession of the permanent alternative accommodation. This comes to Rs. 9,835/- per month. There is also an agreement as to the increase in the amount of monthly transit

rent should the completion of the project be delayed. All of this is noted.

3. The Appeal is disposed of in these terms. No costs.

4. The Suit itself is worked out. It will be listed before the Trial Court on 28th July 2017 when the Trial Court will pass the necessary orders. The Suit is to be dismissed as withdrawn on that date.

5. The Trial Court will act on an authenticated copy of this order.

(G. S. PATEL, J)