

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

WRIT PETITION NO. 3043 OF 2014

Mohammad Farookh A. Kazi & Ors. ... Petitioners

V/s.

Executive Engineer, Marol Fire Station & Ors. ... Respondents

Mr. Uday Warunjikar for the Petitioners.

Ms. Vandana Mahadik for the Respondent Nos. 1 to 3.

Mr. M.A. Sayed, AGP for the the Respondent No.4/State.

**CORAM : A.S.OKA &
SMT. VIBHA KANKANWADI, JJ.
DATE : 22th JUNE, 2017**

P.C.:

. Reply of Shri. Harishchandra Raghu Shetty, the Divisional Fire Officer is taken on record. The learned Counsel appearing for the Petitioners states that the issue which survives for the consideration in this petition is only as regards the first Petitioner who has been allotted another residential quarters by the Fire Brigade Department. He states that the Petitioner has made an application for allotment of a quarters of Water Works Department. He states that without prejudice to the rights of the first Petitioner of prosecuting the said application, the said Petitioner will shift to the quarters allotted by the Fire Brigade with a period of one month from today. We accept the said statement.

2 Accordingly, we dispose of the petition by passing following order :

i) We accept the statement of the first Petitioner that without prejudice

to his right of prosecuting the application which is filed by him for allotment of a quarters of Water Works Department, he will shift to the quarters allotted to him by the Fire Brigade Department within a period of one month from today;

ii) If the first Petitioner fails to vacate the quarters presently held by him on or before 21st July 2017, it will be open for the Municipal Corporation to take forcible possession of the said premises held by the first Petitioner without issuing any further notice to him;

iii) Accordingly, the Writ Petition is disposed of .

(SMT. VIBHA KANKANWADI, J.)

(A.S.OKA, J.)