

WRIT PETITION NO. 2546 of 2017

Versus

State of Maharashtra and Ors ... Respondents

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Mr. Salik Khan for respondent no.5.

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**CORAM: SHANTANU S KEMKAR &
G.S. KULKARNI, JJ.**

DATE : November 21, 2017.

P.C. :

. Heard learned counsel of the parties.

2. This petition is filed under Article 226 of the Constitution of India. The petitioners are seeking a direction to respondent no.5 to provide transit accommodation.

3. According to the petitioners, there is undue delay by the respondent no.5 in completion of the project in question. In these circumstances, the aforesaid prayer has been made.

4. Learned counsel for respondent no.5, on instructions, made a categorical statement that the building has already been completed and Occupation Certificate will be obtained and the petitioners will be provided accommodation as per the entitlement within 4 months from today.

5. Learned counsel appearing for the SRA submits that minimum four months will be required for the fifth respondent to get the Occupation Certificate.

6. Be that as it may, since the learned counsel for respondent no.5 is making a statement that, Occupation Certificate will be obtained within 4 months from today, we are inclined to dispose of this petition by directing respondent no.5 to pay transit rent of six months by demand draft within 3 days from today to the petitioners starting from September, 2017. In case the Occupation Certificate is not obtained within 4 months the further six months transit rent is to be paid by the respondent no.5 after 4 months. The rent as paid will be adjusted/refundable for the extra period, if any.

7. With the aforesaid directions, petition is disposed of. Needless to say that the fifth respondent shall pay the amount as it is paying to all other eligible tenants.

8. Petition is disposed of.

(G.S. Kulkarni, J.)

(S.S. Kemkar, J.)