

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.874 OF 2015

Azim Abdul Latif Haju : Petitioner.
Versus
The State of Maharashtra and anr. : Respondents.

Ms.Prabha Bhadadare i/by Mr. M K Kocharekar for the Petitioner.
Mr. K V Saste, Addl. PP for the Respondent/State.
Mr. Harshad E Palwe for the Respondent No.2.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.**
DATE : 22nd FEBRUARY 2018

P.C.

1 It is pursuant to the Consent Terms filed in Special Civil Suit No.239 of 2013 that the Petitioner was orally directed to file an undertaking in this Court by the earlier Division Bench. The learned counsel for the Petitioner has accordingly tendered the undertaking of the Petitioner which has been affirmed in the United Arab Emirates (UAE) in the Consulate General of India before Shri Harjeet Singh – Vice Consul. In the said undertaking the Petitioner has mentioned that he would hand over the possession of the suit property mentioned in the plaint filed in Special Civil Suit No.239 of 2013 to the Respondent No.2 herein who is represented by the learned counsel Shri Harshad Palwe. The said undertaking is taken on record and marked as “X” for identification. The learned counsel for the Petitioner Ms. Prabha Bhadadare states that the possession would be handed over within two weeks from date with prior intimation to the Respondent No.2. The undertaking and the

statement as above is accepted. In view of the above, the learned counsel are ad-idem that the above Writ Petition is required to be allowed. The above Writ Petition is accordingly allowed in terms of prayer clause (a). The Petitioner to deposit an amount of Rs.10,000/- as costs with the Maharashtra Legal Aid Fund within four weeks from date. Receipt to be obtained and filed in the Registry of this Court.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]