

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

WRIT PETITION NO. 10254 OF 2018

Shri Murlidhar Baburao Palve & Anr. ... Petitioners.

V/s.

State Government of Maharashtra & Ors. ... Respondents.

Mr. Manoj Agre, Advocate a/w. Saswati Deb I/by AG.Pandit
for the Petitioners.

Mrs. Sushma S.Bhende, AGP for the State.

CORAM : K.K. TATED & N.J. JAMADAR,JJ.

DATE : DECEMBER 11, 2018.

PC :

1 Heard the learned counsel for the parties.

2 Learned Advocate Mr. Manoj Agre, appearing for
the Petitioners submits that in view of para nos. 2 and 3 of
the affidavit-in-reply dated 21.11.2018 filed by B.A.Solanki,
Regional Deputy Commissioner, Social Welfare, Mumbai
Division, Mumbai, the matter may be disposed of. Para nos. 2
and 3 of the affidavit in reply reads thus :

“2. It is true that subject matter of the present writ
petition is similar to the subject matter of writ petition
no. 8606 of 2017. And by the order dated 02.09.2017,
Regional Deputy Commissioner, Social Welfare, Mumbai

Division, Mumbai had sanctioned the transfer of the subject flat by way of gift deed. I say that similar orders will be passed in the present writ petition by the concerned authority as early as possible and preferably on or before 31st January, 2019 by following due procedure of law.

3. I thus say that on the basis of the Gift Deed dated 29.06.2013 executed by Petitioner No. 1 in favour of the Petitioner No.2, on or before 31st January, 2019 shares, the plot no. E-28/B along with the structure standing thereon will be transferred from the name of Petitioner No. 1 to the name of Petitioner No. 2 by the concerned authority by following due procedure of law.

In view of the above stated facts and circumstances the petition may be disposed of.”

3 Liberty granted to the petitioners to move before this court in case the Respondents failed to comply with their statement made in paras 2 and 3 of the affidavit in reply dated 21.11.2018.

4 In view of the affidavit in-reply filed on 21.11.2018, nothing survives in the present writ petition.

5 Petition stands disposed of accordingly.

6 No order as to costs.

(N.J. JAMADAR, J.)

(K. K. TATED, J.)