

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (ST) NO. 22222 OF 2018

Niyaz Asgarali Shaikh

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Sachin Chandan for the Petitioner.

Ms.Geeta Sonawane, A.G.P. for the State - Respondent no.1.

CORAM : R.D. DHANUKA, J.

DATE : 8th AUGUST, 2018

P.C.

This matter was argued at length before this court yesterday. The petitioner along with his family members have undertaken to vacate the premises within three months from 6th August,2018 and handover vacant and peaceful possession to the respondent no.2. The petitioner has agreed to pay a sum of Rs.1,000/- per month to the respondent no.2 for these three months without fail. Affidavit cum undertaking filed by the petitioner along with his wife dated 8th August,2018 is taken on record and accepted.

2. It is made clear that if any terms of the said undertaking is not complied with by the petitioner or his family members, the consequences provided in the order dated 6th August,2018 would be enforceable and each of the occupant would be dispossessed with the help of the local police station and shall handover peaceful vacant possession thereof to the respondent no.2.

3. The petitioner no. 1 and his wife who are present in court agree that they have been explained the terms of the undertaking rendered by them in Hindi by the learned counsel appearing for them.

4. Writ petition is accordingly disposed of in the aforesaid terms.

5. This court appreciates the efforts taken by the learned A.G.P. to explain the terms of the undertaking proposed to be given by the petitioner and his wife to the respondent no.2 in Hindi.

6. It is agreed by the learned counsel appearing for the respondent no.2 that the amount of compensation agreed to be paid by his client would be paid to the respondent no.2 by banker's cheque on the date mentioned in the undertaking. The banker's cheque shall be furnished by the respondent no.1 at the address of the respondent no.2 mentioned in the cause title of the petition by Registered A.D.

7. If any title documents in respect of the flat which is now occupied by the petitioner and his family members are lying with the petitioner or his family members, the same shall be returned to the respondent no.2 within one week from today.

8. The parties to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]