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

WRIT PETITION (L) NO. 2676 OF 2018

Zahiruddin Shamshuddin Chand Mohammed ... Petitioners
Ansari & Anr.

Versus

The Municipal Corporation of Greater Mumbai ... Respondents
& Ors.

Mr. J.B. Mishra, for the Petitioner.
Ms. Shital Mane, for Respondent – BMC.
Mr. S.G. Surana, for Respondent No.3.

**CORAM: A.S. OKA AND
RIYAZ I. CHAGLA, JJ.**
DATE: 10TH AUGUST, 2018

PC:-

1. Not on board. Taken on board.
2. Undertaking of the Petitioners is taken on record and marked 'U-1' for identification.
3. The learned counsel appearing for the Respondent No.3 states that the Respondent No.3 accepts the correctness of what is mentioned in clause 1 of the undertaking and will file an Affidavit in those terms within a period of two weeks from today. We accept the said statement.
4. In view of what is agreed between the Petitioners and the Respondent No.3 which is reflected from clause 1 of the

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undertaking taken on record and marked 'U-1' for identification, time to vacate as prayed will have to be granted.

5. Accordingly, we pass following order:-

(i) Undertaking of the Petitioners marked as 'U-1' is accepted;

(ii) We also accept the statement made by the learned counsel appearing for the Respondent No.3 that an Affidavit will be filed within a period of two weeks from today;

(iii) We accept the undertaking of the Petitioners in clause 2 and accordingly direct that the Petitioners shall not be dispossessed for a period of two weeks from today;

(iv) We make it clear that the order in this Petition does not affect the rights of the Municipal Corporation in pending Writ Petition;

(v) The Petition is disposed of accordingly.

(RIYAZ I. CHAGLA J.)

(A.S. OKA, J)