

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.2842 OF 2018

Saukat Liyakat Ansari and others ... Petitioners
Versus
Mumbai Municipal Corporation through the
Commissioner and others ... Respondents

Mr. Devmani Shukla for Petitioners.
Ms Rupali Adhate for MCGM.
Ms Snehlata Dumbre, AU (SCI) G/N.

CORAM: NARESH H. PATIL, ACTING CJ &
R. G. KETKAR, J.
DATE : SEPTEMBER 11, 2018

P.C.

North India Education Society filed Writ Petition (L) No.1548 of 2017. By order dated 19.06.2017, Division Bench of this Court (Coram: A. S. Oka & Smt. Vibha Kankanwadi, JJ.) rejected the Petition. Operative part of the order reads as under,

“ **ORDER**

- a) The Writ Petition is rejected.
- b) Undertaking of Mr. Shivprasad Upadhyay is accepted as undertaking of the petitioner.
- c) Only in view of the undertaking, we direct the respondents that the petitioner shall not be evicted from the subject premises till 31st May 2018 subject to petitioner regularly paying license fees payable equivalent to license fees payable in the year 2016-17. On the failure of the petitioner to vacate the subject premises on or before 31st May 2018, it will be open for the respondents to take

forcible possession of the premises on 1st June 2018 or thereafter, without issuing any further notice to the petitioner.

d) All concerned to act on an authenticated copy of this order.”

2. The Counsel appearing for the Corporation submits that the possession of the premises has been taken by the Corporation on 18.07.2018. Petitioners claim to be parents of the students of respondent No.5 - North Indian Education Society, English Secondary School. As the petitioners submit that 750 students are without any remedy and their education career is at loss, we permit the parents to file comprehensive representation before the Commissioner. In case such representation is made, the Commissioner will look into the same on its own merits. The Petition is disposed of as such.

R. G. KETKAR, J.

ACTING CHIEF JUSTICE

Minal Parab