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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION (L) NO.582 OF 2018
IN
WRIT PETITION NO.1757 OF 2018

Mahendra Champaklal Mehta and Ors. ... Applicants

In the matter between

Mahendra Champaklal Mehta and Ors. ... Petitioners

Vs.

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

Mr. Vikramjit Grewal, Mr. Jamshed Ansari for the Applicants.

Mr. Sagar Patil for the Respondent - BMC.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 27th SEPTEMBER 2018.

P.C. :

1 Heard the learned counsel appearing for the applicants and the learned counsel appearing for the first and second respondents. The learned counsel appearing for the applicants who are the writ petitioners states that the applicants are willing to give unconditional undertakings to this Court to hand over vacant possession of their respective premises within the time extended by this Court and they are also willing to undertake that under no circumstances and on no ground, they will apply for further extension of time. We accept the said statement.

2 Accordingly, clause (i) of paragraph 8 of the order dated 4th June 2018 is modified by permitting the applicants/ writ petitioners to occupy their respective premises subject matter of the writ petition for a period of two months from today at their own risk subject to condition of all the petitioners filing an undertakings on oath in this Court stating that

within a period of two months from today, they will vacate their respective premises and shall hand over vacant possession thereof to Respondent No.2 and that under no circumstances and for no reason, they will seek further extension of time.

3 If such undertakings are not filed by all the petitioners within a period of three weeks from today, the petitioners will not be entitled to benefit of extension of time granted under this order and that it will be open for the first and second respondents to forcibly dispossess the petitioners, if necessary, by taking police help. Notice of Motion is disposed of on above terms.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)