

BDP-SPS

Bharat
D. Pandit

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

WRIT PETITION NO. 6494 OF 2019

Samir Jamil Khan
Through Constituted Attorney
Mr. Asif Yusuf Qureshi ...Petitioner

Versus

The Grievance Redressal
Committee Mumbai Suburbs & Ors. ...Respondent(s)

Mr. Amarjyot Anand I/b Mr Anand Singh for the Petitioner.
Mr. Kunal Chheda I/b Utangale and Co. for Respondent No.2.

CORAM: NITIN W. SAMBRE, J.

DATE: 26th July, 2019

P.C.:-

1] After the order of dismissal is passed, Petitioner has tendered an Undertaking and submits that since the order is not signed by this Court, Petitioner be permitted to withdraw the Petition on instructions of the Petitioner who is present in the Court. Paras 4 and 5 of the Undertaking read thus:-

“4. I hereby undertake that on or before the

period of 60 days from 23.7.2019 I would vacate the said tenement in my possession and would give vacant and peaceful possession of the tenement to the officers of the Competent Authority and under no circumstances I will seek any extension of time beyond 60 days. I further undertake that I shall abide by this undertaking in all manner without committing any default and therefore my undertaking be accepted as undertaking to the Court.”

“5. I say and submit that I am giving this undertaking voluntarily and to place on record my genuine difficulty of shifting my family and myself and for searching alternate structure nearby area considering that the education of my children are not affected. I have given this undertaking to place on record my bonafide and truth that I would not extend my period of stay in tenement No.225 in Bldg. No.14, beyond the period of 60 days under any circumstances and I would hand over the vacant possession of the tenement to the officers of the Competent Authority.”

2] Undertaking given on affidavit by the Petitioner who is present in court and identified by the learned Counsel for the Petitioner is accepted. As such, till the period of sixty days from the date of order of dismissal of the Petition, the petitioner shall not be evicted as he has undertaken to surrender the possession of the property in question to the Competent Authority i.e. SRA.

3] Petition stands disposed of as withdrawn.

(NITIN W. SAMBRE, J.)