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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6988 OF 2019

Darshan Mavji Bhanushali ..Petitioner.

V/s.

The Deputy Collector, Eastern Suburban
Slum Rehabilitation Authority & Ors. ..Respondents.

Mr.Pradeep J.Thorat for the petitioner.

Mr.P..P. Pujari, AGP for respondent No.1.

Mr.Bhushan Deshmukh i/b. Mr.Vivek P. Kakade for respondent
No.2.

CORAM: NITIN W.SAMBRE, J.

DATE : JUNE 26, 2019

P.C.:-

The petitioner has tendered an undertaking dated June 26, 2019 to this Court whereby he has undertaken to vacate the suit premises by July 26, 2019. Paragraphs 3 and 4 of the undertaking dated June 26, 2019 read as under:-

“3. I say that I have challenged the order dated 10th June, 2019 passed by the Deputy Collector under Sec.33 & 38 of the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971 by filing

Application No.134 of 2019 before the Apex Grievance Redressal Committee. I say that by an order dated 19th June, 2019 the Addl. Chief Secretary, Housing Department is pleased to refuse interim relief in Application No.134 of 2019. I undertake to withdraw the said Application No.134 of 2019 pending before the Apex Grievance Redressal Committee.

4. I undertake to vacate and handover the vacant possession of the said structure i.e. Shop No.16 Shivsai CHS Ltd., Mulchand Nivas, Utkarsh Nagar, Bhandup (West), Mumbai-400 078 to the Respondent No.2 i.e. M/s. Suyog Developers within a period of 30 days from the today i.e. on or before 26th July, 2019. ”

2. In view of the above undertaking, in my opinion, the issue raised in this petition need not be gone into. However, the possession of the petitioner is protected till July 26, 2019.

3. The petition, as such, stands disposed of. The undertaking tendered by the petitioner is accepted.

(NITIN W.SAMBRE, J.)