

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

WRIT PETITION (L) NO. 631 OF 2019

Satya Ramesh Shetty

...Petitioner

vs

Sahakar Nagar Gulab Co-operative Society Ltd. & Ors. ...Respondents

Mr.Vishwajeet Kapse I/b. Ramesh L. Dharap for Petitioner.

Mr.Mayur Khandeparkar I/b. Sumit Phatale for Respondent No.1.

Mr.Vishal Kanade I/b. Hassan Ullah Khan for Respondent No.2.

Mr.P.G. Lad for Respondent No.3.

CORAM : S.C.GUPTE, J.

DATE : 15 MARCH 2019

P.C. :

After the matter is heard at some length, learned Counsel for the Petitioner seeks leave to withdraw the petition and surrender possession of her tenement to Respondent No.2 subject to the latter assuring the Petitioner of due payment of rent for transit accommodation as well as hardship and displacement compensation in accordance with the development agreement read with the supplemental development agreement between Respondent No.2 and Respondent No.1 society.

2 Learned Counsel for Respondent No.2 states that the Petitioner shall get compensation including transit rent in accordance with the development agreement read with the supplemental development agreement. Learned counsel also states that after the suit building is demolished and lots are drawn from amongst the members of all three societies and their respective tenements in the new building are identified, alternative accommodation agreements would be executed between the

occupant members of the societies and Respondent No.2. Learned Counsel submits that an appropriate agreement shall accordingly be entered into with the Petitioner also. The statements are accepted.

3 In view of these statements, learned Counsel for the Petitioner does not press his petition and seeks withdrawal of the petition.

4 The petition accordingly is dismissed as withdrawn with no order as to costs.

5 The Petitioner undertakes to hand over possession of her tenement to Respondent No.2 within two weeks from today. The undertaking is accepted.

6 This order is passed in the presence of the Petitioner.

(S.C. GUPTE, J.)