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

WRIT PETITION (LODGING) NO.2836 OF 2019

Rajendra Prasad V. Gupta & Ors. V/s. The Chief Executive Officer, Slum Rehabilitation Authority & Ors.	...Petitioners ...Respondents
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Ms.Aradhana S. Prabhu for the Petitioners.

Mr.Milind More for the Respondent Nos.1 and 2.

Mr.S.G. Surana with Mr.Madhur Surana for the Respondent No.3.

CORAM : R.D. DHANUKA, J.
DATE : 4TH OCTOBER, 2019.

P.C. :-

1. The papers are allowed to be produced at 3:00 p.m. in view of extreme urgency.
2. The petitioners have impugned the order dated 20th July, 2019 passed by the Appex Grievance Redressal Committee in Appeal (Lodging) Nos.244 of 2019 and 245 of 2019.
3. The grievance of the petitioners is that they are not offered any transit rent before shifting from the premises. It is the case of the petitioners that at the first instance they would like to have the temporary alternate accommodation instead of compensation and if the compensation is paid, it should be not less than Rs.20,000/- per month to each of the petitioners.

4. Mr.Surana, learned counsel appearing for the respondent no.3 invited my attention to the order dated 30th September, 2019 passed by the Division Bench of this Court in Writ Petition (Stamp) No.26606 of 2019 and would submit that the facts before this Court in this writ petition are identical to the facts before the Division Bench in Writ Petition (Stamp) No.26606 of 2019. He submits that the respondent no.3 had offered Rs.10,000/- per month by way of transit rent till the petitioners in that matter would be placed in possession on permanent basis. Similar statements which were made before the Division Bench by the respondent no.3 are made before this Court also. Statement made by the learned counsel for the respondent no.3 is accepted as and by way of undertaking to this Court. The other terms and conditions agreed upon by the parties in Writ Petition (Stamp) No.26606 of 2019 would also apply to the facts of this case.

5. In view of the undertaking rendered by the learned counsel for the respondent no.3 before this Court, learned counsel for the petitioners undertake on behalf of her clients that they would hand over vacant possession of the premises to the respondent no.3 within one week from today. Undertaking is accepted. It is made clear that the entitlement of the petitioner to the transit rent from the respondent no.3 would commence upon the petitioners handing over vacant possession of the premises to the respondent no.3.

6. It is made clear that if the petitioners do not hand over vacant possession of the premises to the respondent no.3 within the time prescribed, the respondent no.3 would be at liberty to take forcible possession of the premises from the petitioner and if necessary with the assistance of Police.

7. The writ petition is disposed of on aforesaid terms. There shall be no order as to costs.

8. All the parties as well as the concerned Authorities to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)