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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1 OF 2019
IN
WRIT PETITION NO.1248 OF 2019

Noorjahan Shabuddin Shaikh And Anr. ...Applicants/Petitioners

vs

State of Maharashtra And 2 Ors. ...Respondents

.....

Ms. Ridhima Mangaonkar, i/b. Mr. Vivek Pandey, for the Petitioners.

Mr. Amit Shastri, AGP, for Respondent No.1.

Mr. P.G. Lad, a/w. Ms. Sayli Apte, for Respondent No.2-MHADA.

Mr. Virag Tulzapurkar, Senior Advocate, a/w. Ms. Nanki Grewal and Ms. Paridhi Saraf, i/b. Wadia Ghandy & Co., for Respondent No.3.

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CORAM : S.C. GUPTE, J.

DATED: 21 FEBRUARY, 2020

P.C.:

. This interim application is made by the original Petitioners praying for withdrawal of the amount deposited by Respondent No.3 in this Court pursuant to the order passed by a learned Single Judge of this Court in the captioned writ petition on 27 June 2019. The application also seeks directions for payment of future transit rent by Respondent No.3 developer to the Applicants/Petitioners directly. Learned Counsel for Respondent No.3 has no objection if the amount of rental compensation deposited by his client in Court in terms of the order of 27 June 2019 is withdrawn by the Applicants/Petitioners. Learned Counsel

submits that as in case of others, Respondent No.3 is not averse to payment of future lumpsum transit rent of two years (i.e. total period of two years) in compliance with the orders of the Court to the Applicants/Petitioners directly.

2. Accordingly, the interim application is disposed of in terms of the following order:

(i) The Petitioners will be at liberty to withdraw the sum of Rs.50,000/- deposited by Respondents in this Court in pursuance of the order of 27 June 2019;

(ii) Against the Petitioners executing an agreement for transit accommodation by expediting rental compensation in lieu of it, Respondent No.3 shall simultaneously handover its cheque for 22 months advance rental compensation at the rate of Rs.25,000/- per month aggregating to Rs.5,50,000/- to the Applicants/Petitioners;

(iii) Execution of such agreement and simultaneous handing over of cheques shall be accomplished within one week from today;

(iv) The Petitioners shall intimate their contact address and telephone number to Respondent No.3.

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2020.03.02
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(S.C. GUPTE, J.)