

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 62 OF 2021****(WRIT PETITION (STAMP) NO. 94260 OF 2020)****Mohammad Shamim Habibullah Choudhary and others ... Petitioners****Versus****The State of Maharashtra and others ... Respondents****.....****Mr. M.M. Vashi, Senior Advocate with Mr. A.A. Siddiquie i/b. M/s. A.A.Siddiquie and Associate for the Petitioners.****Mr. Ram Apte, Senior Advocate with Mr. Ajit Pitale and Mr. Ameya Pitale for the Respondent Nos.2 to 5.****Ms. K.N. Solanke, AGP for Respondent-State.****Mr. Nitin Gangal for Respondent Nos.6 and 7.****.....****CORAM : S.J. KATHAWALLA AND****SMT. ANUJA PRABHUDESSAI, JJ.****DATED : 3rd NOVEMBER, 2020****P.C. :-**

In view of the assurance given by Respondent Nos.6 and 7 through their Advocate, to the Petitioners and their Advocate that they shall treat the Petitioners at par with all the other tenants and ensure that all the terms and conditions to be provided in the development Agreement are also made applicable to the Petitioners, Mr. Vashi, Learned Senior Advocate for the Petitioners is not pressing the above Writ Petition.

2. The Writ Petition is accordingly disposed off.
3. The Petitioners and the developer agree and undertake to co-operate with each other in all respects. In view thereof, Senior Advocate Mr. Vashi states that Petitioners will vacate and handover peaceful possession of their respective premises to the Developer on or before 23rd November, 2020. The undertaking is accepted. The Corporation shall therefore, not take any coercive steps upto 23rd November, 2020. However, in the meantime, the Petitioners shall continue to occupy their respective premises at their own risk.
4. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(SMT. ANUJA PRABHUDESSAI, J.)

(S.J. KATHAWALLA, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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