

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7448 OF 2021

Imtiyaz Ahmed Mukhtar

... Petitioner

Versus

State of Maharashtra & Ors.

... Respondents

Mr.Rajshekar Govilkar i/b. Mr. Iqbal Ahmed Siddiqvi for the Petitioners.

Mr.Jahangir Khan a/w.Mr. Amanullah Khan for Respondent No. 6.

Mr.P.G.Lad for MHADA.

Mr.S.H.Kankal, AGP for the State.

CORAM : S.J. KATHAWALLA &
SURENDRA P. TAVADE, JJ.
DATE : 3RD NOVEMBER, 2021
(VACATION COURT)

P.C. :

1. The learned Advocate appearing for MHADA on instructions states that MHADA is willing to provide temporary alternate accommodation to the Petitioner in transit camp i.e. Room No. 1002, 10th Floor, Shafaq Tower, Khanda Mohalla, Nagpada, Mumbai – 400 008 and the Petitioner may collect the keys of the temporary alternate accommodation from the office of the Advocate representing the Respondent No. 6 Developer. The statements are accepted.

2. The Petitioner undertakes to vacate his original premises and shift to the

above mentioned temporary alternate accommodation on or before 8th November, 2021. The undertaking is accepted.

3. In the event of the Petitioner not complying with the above undertaking, forcible possession shall be taken from him by MHADA with the help of the police.

4. The learned Advocate appearing for Respondent No. 6 Developer on instructions states that in the event of the Petitioner finally succeeding in the proceedings filed by him before this Court, impugning the order dated 5th May, 2012 passed by the Division Bench of the Small Causes Court, Respondent No. 6 Developer shall enter into an agreement with the Petitioner allotting permanent alternate accommodation to the Petitioner on the same terms on which he has made such allotments in favour of other tenants.

5. The above Writ Petition is accordingly disposed off.

(SURENDRA P. TAVADE, J.)

(S.J. KATHAWALLA, J.)