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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 564 OF 2020

Pratiksha Mahendra Salunke & Ors.

...Petitioners

Versus

State of Maharashtra & Ors.

...Respondents

Mr Amir Arsiwala, i/b Nikhil Mengde for the Petitioners.

Mr L T Satelkar, AGP, for the State/Respondent No 1.

Mr S P Thorat, for Respondent No2/MHADA.

An Advocate, i/b Niranjana A Mogre for Respondent No 3.

Respondents Nos. 4 and 5, present in person.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**

DATED: 15th December 2021

PC:-

1. The parties before us agree that on our recording and noting the statement made on instructions on behalf of Respondent Nos 4 and 5, both of whom are personally present in the Court, the Petition can be disposed of by consent and without any assessment of the rival contentions or on merits. Both sides agree that no reasons are necessary.

2. The impugned notice/letter dated 27th September 2018 is, by consent, quashed and set aside. It is open to Respondent Nos 4 and

5 to adopt appropriate proceedings in a Court or forum of competent jurisdiction to assert their claim that the Petitioners have no right in respect of two flats in question. All contentions in that behalf are expressly kept open on both sides including all questions of jurisdiction, limitation etc.

3. We request the Court/Tribunal/Forum before whom Respondent Nos 4 and 5 file fresh proceedings to give the matter the maximum priority and dispose of it at its earliest convenience.

4. We make it clear that we have not expressed any opinion on the rival contentions or on merits of the matter.

5. The Petition is disposed of in these terms. There will be no order as to costs.

6. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)