

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.963 OF 2022**

Shalini Jagannath Bhagat
And Others

... Petitioners

Versus

The State of Maharashtra
And Others

... Respondents

Mr. S.P. Thorat a/w Mr. Sagar Kasar a/w Rachana Harpale and Chaitali Bhogle
i/b VMK Legal for the Petitioners.

Mrs. Rupali M. Shinde, AGP for Respondent No.1 and 3-State.

Mr. Nitin Gangal a/w Ms Prerna Shukla and Mr. Ashok Kadam for Respondent
Nos.2 and 4-CIDCO.

**CORAM : R. D. DHANUKA &
S. M. MODAK, JJ.**

**DATE : 3 FEBRUARY 2022.
(Through Video Conference)**

P. C. :

. Heard Mr. Thorat learned Counsel for the Petitioners, Mrs. Shinde, learned AGP for Respondent No.1-State and Mr. Nitin Gangal, learned Counsel for Respondent Nos.2 and 4-CIDCO.

2 Mr. Thorat, learned Counsel, on instructions from all the Petitioners, states that his clients shall vacate and hand over the respective structures in their possession to Respondent No.2-CIDCO within three weeks from today without fail and would make a representation to Respondent No.3-The Dy. Collector (Land Acquisition) in respect of their claims within two weeks from today. The undertaking is accepted. If the representation is made by the

Petitioners within the stipulated period, Respondent No.3 shall decide the said representation within eight weeks from the date of Petitioners' filing such representation. The Order that would be passed by Respondent No.3 shall be communicated to the Petitioners within one week from the date of passing of such Order.

3 It is made clear that, no extension of time would be granted to the Petitioners for vacating and handing over the premises, which are alleged to be their possession. Learned Counsel for the Petitioners further states that there are no claim of any other parties in tenement in occupation of the Petitioners. The statement is accepted.

4 If vacant possession of the premises in possession of the Petitioners, which is the subject matter of the Petition, is not handed over to Respondent No.2-CIDCO within time stipulated, Respondent No.2-CIDCO will be at liberty to take forcible possession of the premises from the Petitioners or anybody else found in the premises and if necessary, with the help of Police.

5 It is made clear that this Court has not expressed any opinion on the merit on the claims proposed to be made by the Petitioners before Respondent No.3. All contentions of both parties are kept open.

6 The Petition is disposed of in the aforesaid terms.

7 No order as to costs.

8 The parties to act an authenticated copy of the Order.