

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4546 OF 2022

Rozary Education Society Thr. Trustee	
Mrs. Usha Pereira	...Petitioner
Versus	
Pune Municipal Corporation Pune Thr.	
Pune Municipal Commissioner & Ors	...Respondents

Adv. Mayur Khandeparkar a/w. Adv. Ravindra Mali h/f. Bhojraj Boral
for the Petitioner.
Adv. Abhijit P. Kulkarni for the Respondent Nos. 1 to 3
Mr. A. I. Patel, Addl. GP a/w. R. A. Solunke, AGP for the Respondent-
State.

**CORAM : A. A. SAYED &
 ABHAY AHUJA, JJ**

DATED : 13th APRIL, 2022

P.C.:

We record the statement of learned Counsel for the Petitioner that without prejudice to the rights and contentions of the parties, the Petitioner shall pay a sum of Rs.12,38,000/- to the Respondent-Corporation in four installments viz. - 1st installment on 20.04.2022 of Rs.3,00,000/-, 2nd installment on 20.05.2022 of Rs.3,00,000/-, 3rd installment on 20.06.2022 of Rs.4,00,000/- and 4th installment on 20.07.2022 of Rs.2,38,000/-.

2. An Undertaking to make payments in the aforesaid terms shall be filed by the Trustee of the Petitioner by 18th April, 2022.

3. Upon paying the first installment, the Respondent-Corporation shall forthwith de-seal the two premises i.e. nursery and shutter of the subject School Building. Inasmuch as the Petitioner has already filed suit in Civil Court which is pending, the present Petition need not be kept pending.

4. The Petition to stand disposed of. All contentions are kept open.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)

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