

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2980 OF 2022

IN

WRIT PETITION NO. 1384 OF 2002

Imtiyaz Abubakar Rajapkar & Anr.

Applicants

.. (Org. Respondent Nos. 1 and 2)

IN THE MATTER BETWEEN

Anil Atmaram Pilvankar

.. Petitioner

Versus

Imtiyaz Abubakar Rajapkar & Ors.

.. Respondents

-
- Mr. Amardev J. Uniyal a/w Mr. Akshay Anumandala for the Applicants
 - Mr. D.Y. Chitnis a/w Ms. Sonali Dalvi & Mr. Abhilesh Chitre i/by M/s. Deepak Chitnis Chiparikar & Co for the Petitioner
 - Mr. C.D. Mali, AGP for the State
 - Mr. Kamlesh Ghumre a/w Ms. Sonali Jadhav & Mr. Krishna Epper for Respondent No. 5 (MHADA)
-

CORAM : MILIND N. JADHAV, J.

DATE : JUNE 17, 2022

P.C.:

1. Heard learned counsel for the parties. Perused the order dated 11.02.2022.
2. By the present interim application, the Applicants who are original Respondent Nos. 1 and 2 have sought modification of paragraph No. 7 of the order dated 11.02.2022 wherein liberty was granated to both the Applicants to withdraw the amount deposited by the Petitioner.
3. Mr. Chitnis, learned counsel for the Petitioner submits that he has

complied with the directions contained in paragraph No. 5 of the said order and the amount of Rs. 4 Lacs has been deposited in this court on 25.02.2022 in compliance thereof.

4. If the application is perused, it is seen that Respondent No. 2 has verified the present application. The averments made in the application are to the effect that liberty should be granted only to Respondent No. 1 who was the licensor in respect of the subject flat. Mr. Chitnis has raised no objection whatsoever to the application made by the Applicants. However he submits that the same may be granted without prejudice to the rights and contention of the Petitioner.

5. Upon hearing the parties and on perusal of the pleadings, the directions contained in paragraph No. 7 of the order dated 11.02.2022 stand modified and shall now read as under:-

"7. Upon deposit, liberty is granted to respondent No. 1 to withdraw the said amount. Such withdrawal shall be subject to the result of this petition."

6. Rest of the order dated 11.02.2022 remains as it is.

7. In view of the above, the interim application stands disposed of.

8. Place the writ petition on board on **4th July, 2022.**

[MILIND N. JADHAV, J.]

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2022.06.17
16:36:15
+0530