

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

WRIT PETITION NO. 8246 OF 2022

Jeetendra Tukaram Narvekar ...Petitioner
vs.
Maharashtra Housing and Area
Development Authority and Ors. ...Respondents

Ms. Rita K. Joshi - Advocate for the Petitioner
Mr. A. M. Saraogi a/w S. C. Pal and Akshita Kohli- Advocate for the
Respondent No. 3
Mr. Saurabh Utangule – Advocate for MHADA.
Mr. Shivani S. K. - Advocate for Respondent No. 4.

**CORAM : S.V. GANGAPURWALA AND
S. M. MODAK, JJ.**

DATE : 11th JULY, 2022

P. C. :-

1. The Petitioner is challenging the eviction Order. The application filed by the Petitioner is rejected. Under the impugned Order, the Petitioner is instructed to vacate his room No. 1757 at building No. 59, Pant Nagar Sangam CHS Ltd., Pant Nagar, Ghatkopar (East), Mumbai – 400 075.
2. Learned counsel for the Petitioner submits that the developer has not entered into an agreement with the Petitioner. He is also not providing habitable temporary alternate accommodation and the directions are given to evict the present Petitioner, the same is not in consonance with

rules and the policy.

3. Learned counsel for the Respondent Nos. 3 and 4 submits that there are 30 members in the Society, 28 members have already entered into an agreement and handed over possession to the Respondents. It is only Petitioner who is not cooperating and one Mr. Deepak Parkar.

4. According to the learned counsel that the agreement to be entered into with the Petitioner is ready and within two days the agreement would be executed with the Petitioner. The Petitioner at any point of time may attend the office of Respondent No. 3 and get the agreement executed.

5. The learned counsel on instructions further submits that Petitioner would be provided rent in lieu of the temporary alternate accommodation, the same rent as is given to the other 28 persons.

6. The said statement is accepted as an undertaking to this Court.

7. In view of the above, Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA, J.]