

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FORM ORDER NO.295 OF 2021
WITH
INTERIM APPLICATION NO.2607 2021
IN
APPEAL FORM ORDER NO.295 OF 2021

Bhaskar Chandrakant Padman & Ors. ...Appellants

Vs.

The Municipal Corporation of
Greater Mumbai ...Respondent

Mr.Pradip J. Thorat for the Appellants.

Mr.Shailesh Pal i/b Mr.Pratap Singh for Respondent No.2

Mr.Dharmesh Vyas a/w Ms.Krishna Dedhia and Mr.R.Y. Sirsikar
for the Respondent-Corporation.

CORAM : C.V. BHADANG, J.

DATE : 10 AUGUST 2022

P.C.

. Heard learned counsel for the parties.

2. The learned counsel for the parties submit that the parties have arrived at an agreement/arrangement in terms of which the Appeal From Order can be disposed of. The parties submit that detailed reasons may not be recorded.

3. The copy of the Minutes of Order signed by the learned counsel for the parties is taken on record and marked 'x' for identification.

4. In such circumstances, the Appeal is disposed of in the following terms by consent of the parties.

ORDER

- 1. The Respondent No.1 Mumbai Municipal Corporation shall carry out the inspection of the premises occupied by the Appellants in Chawl known as Sakharwala Chawl, Rohidas Hall (Jain Hall), L.B.S. Road, Kurla (West), Mumbai-400070 for carrying out the measurement of the said premises and preparation of the Area Statement within a period of two weeks.*
- 2. That after issuance of the Area statement by the Respondent No.1 within a period of 2 weeks the Respondent No.2 i.e. landlord/owner shall execute the Agreements with the Appellants for providing them Permanent Alternate Accommodation in the new building which will be constructed after demolition of Sakharwala Chawl, Rohidas Hall (Jain Hall), L.B.S. Road, Kurla (West), Mumbai-400070.*
- 3. That within a period of one week after execution of the Agreements for Permanent Alternate Accommodation by the Respondent No.2 the Appellants will vacate and handover possession of their respective premises to the Respondent No.2 for the*

purpose of implementing the Notice dated 25 June 2018 issued under Section 354 by the Mumbai Municipal Corporation Act, 1888.

4. In the event the Appellants fail to vacate and hand over possession of their respective premises within a period of one week from execution of the Agreement for Permanent Alternate Accommodation the Respondent No.1 Mumbai Municipal Corporation will be entitled to execute the Notice dated 25 June 2018 issued under Section 354 by the Mumbai Municipal Corporation Act, 1888.

5. The Appeal from Order and Interim Application will stand disposed of.”

In the circumstances, there shall be no order as to costs.

5. Pending Civil Applications, if any, also stand disposed of.

C.V. BHADANG, J.